



Karuah Hard Rock Quarry Independent Environmental Audit August 2019 - July 2024



Prepared for Hunter Quarries Pty Ltd

26 February 2025

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Signature					
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Declaration of Independence Form	
Project Name	Karuah Hard Rock Quarry
Consent Number	DA 265-10-2004
Description of Project	Karuah Quarry (Hunter Quarries)
Project Address	15 Andersite Road, Karuah, New South Wales, 2324
Proponent	Hunter Quarries Pty Ltd
Title of Audit	Karuah Quarry Independent Environmental Audit 2024
Date	26/02/2025
<p>I declare that:</p> <p>i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;</p> <p>ii. I do not have any pecuniary interest on the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child:</p> <p>iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;</p> <p>iv. I am not an Environmental Representative for the project; and</p> <p>v. I will not accept any independent, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowledge allow colleagues to do so.</p> <p>Note:</p> <p>a) Under section 10.6 of the <i>Environmental Planning and Assessment Act 1979</i> a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report or monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and</p>	

<p>b) The <i>Crimes Act 1900</i> contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both).</p>	
<p>Name of auditor(s)</p>	<p>Lead Auditor: Leanne Cross Auditor: Alfred Davis</p>
<p>Signature</p>	
<p>Qualification</p>	<p>Leanne Cross: Bachelor of Science, Post Graduate Diploma Urban and Regional Town Planning, Exemplar Global Certified Lead Environmental Auditor (C-479141) Alfred Davis: Bachelor of Sustainability: Environmental Resilience, Post Graduate Certificate Environmental and Business Management, Exemplar Global Lead Environmental Auditor (C365273)</p>
<p>Company</p>	<p>Talis Consultants Pty Ltd</p>
<p>Company Address</p>	<p>58 Cleary Street, Hamilton, NSW 2303</p>

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List of Acronyms and Abbreviations

Term	Description
AEMR	Annual Environmental Monitoring Report
AQMP	Air Quality Monitoring Program
BfMP	Bush Fire Management Plan
CCC	Community Consultative Committee
DDG	Depositional Dust Gauge
DPE	Department of Planning and Environment
DPHI	Department of Planning, Housing and Infrastructure
DPIE	Department of Planning, Industry and Environment
EMP	Environmental Monitoring Program
EMS	Environmental Management Strategy
EP&A Act 1979	Environmental Planning and Assessment Act 1979
EPA	Environmental Protection Authority
FFMP	Flora and Fauna Management Plan
FY	Financial Year
HQPL	Hunter Quarries Pty Ltd
HVAS	High Volume Air Sampler
IBC	Intermediate Bulk Container
IEA	Independent Environmental Audit
NSW RFS	New South Wales Rural Fire Service
NMP	Noise Monitoring Program
OEH	Office of Environment and Heritage
PIRMP	Pollution Incident Response Management Plan
SWMP	Site Water Management Plan
TSP	Total Suspended Particles
TSS	Total Suspended Solids

1 INTRODUCTION

1.1 Background

Talis Consultants Pty Ltd (Talis) has been commissioned by Hunter Quarries Pty Ltd (HQPL) to carry out an Independent Environmental Audit (IEA) of Karuah Hard Rock Quarry (Karuah Quarry) which is operating under DA265-10-2004 (the Development Consent).

Karuah Quarry is located at 15 Andersite Road, Karuah, New South Wales, 2324 (Lot 21 DP 1024341, Lot 11 DP 1024564 and Lot 12 DP 1024564) within the MidCoast local government area. It produces up to 500,000 tonnes of product a year and is limited to extracting 11.2 million tonnes of andesite within the period of the approved Development Consent. The Development Consent lapses 22 years after the date it commences and is due to lapse 3 June 2027.

The Development Consent has been amended once by the Land and Environment Court on 29 September 2006, in relation to payment of Section 94 contributions Schedule 2, condition 13 of the Development Consent.

The audit is carried out subject to the requirements of Schedule 4, Condition 6 of the Development Consent, and the NSW Government Department of Planning, Industry and Environment (DPIE) *Independent Audit Post Approval Requirements* (May, 2020) guideline (IEA Guidelines). Accordingly, this report details the audit findings, makes recommendations and identifies opportunities for improvement.

Appendix A shows the project area approved by the Development Consent.

1.2 Audit Team

The IEA was carried out by team members, Leanne Cross (Lead Environmental Auditor) and Alfred Davis (Environmental Auditor). The Department of Planning, Housing and Environment (DPHI) endorsed the Audit Team 4 November 2024 consistent with the requirements of Schedule 4, Condition 6(a) which states: *“The audit must be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director General”*.

The letter correspondence from DPHI approving the Audit Team is provided in Appendix B.

1.3 Audit Objectives

The objective of the 2024 IEA is to assess compliance of Karuah Quarry against the Development Consent, consistent with the requirements of the IEA Guidelines and to make observations and recommendations.

1.4 Audit Scope

The 2024 IEA scope includes:

1. An assessment of compliance with:

- a) Conditions of DA 265-10-2004 applicable to the operational phase of Karuah Quarry; and
- b) Post approval compliance documents including:
 - i) Karuah Quarry Rehabilitation & Closure Plan
 - ii) Environmental Management Strategy
 - iii) Site Water Management Plan
 - iv) Flora and Fauna Management Plan
 - v) Environmental Monitoring Program
2. A review of the environmental performance of the development, including:
 - a) Actual impacts compared to predicted impacts documented in the environmental impact assessment;
 - b) The physical extent of the development in comparison with the approved boundary;
 - c) Incidents, non-compliances and complaints that occurred or were made during the audit period;
 - d) The performance of the development having regard to agency policy and any environmental issues identified through consultation; and
 - e) Feedback received from agencies during consultation.
3. The status of implementation of previous Independent Audit findings, recommendations and actions.
4. A high-level assessment of whether Environmental Management Plans and Sub-plans are adequate.
5. Site inspection.
6. Audit interviews with key site personnel.
7. Detailed review of compliance documents, annual environmental monitoring reports, policies and management plans etc.

1.5 Audit Period

The audit period is between 1 August 2019 to 31 July 2024.

2 AUDIT METHODOLOGY

2.1 Selection and endorsement of Audit Team

The Audit Team was endorsed by DPHI consistent with the requirements of schedule 4, condition 6(a). As such, the Audit Team was deemed to be 'suitably qualified, experienced, and independent' by DPHI.

Letter correspondence from DPHI, dated 4 November 2024, endorsing the Audit Team is provided in Appendix B.

2.2 Independent audit scope development

The scope of the 2024 IEA has been developed:

- To meet the requirements of schedule 4, condition 6;
- In accordance with the *Independent Audit Post Approval Requirements* (May, 2020);
- Having regard to *AS/NZS ISO 19011.2014- Guidelines for Auditing Management Systems*; and
- Following consultation with DPHI, EPA and MidCoast Council (Council).

2.3 Compliance evaluation

Compliance has been evaluated based on verifiable evidence and has been collected using the following methods:

1. Review of documentation including reports and environmental management plans;
2. Inspection of records, data and registers;
3. Interviews conducted with site personnel; and
4. Site inspection and observations.

The Audit Team have evaluated compliance and identified whether there are any non-compliances and / or opportunities for improvement. The compliance status for each condition has been determined using status descriptors, as described in Section 3.7.

2.4 Site interviews

During the site inspection, 10 December 2024, the Audit Team carried out an on-site interview with the Environment and Development Manager and the Maintenance Leading Hand.

2.5 Site inspection

The HQPL Environment and Development Manager escorted the Audit Team on a site inspection 10 December 2024. The following areas were observed:

- site administration buildings, amenities, weighbridge, and carpark area;

- current extraction area;
- noise monitoring locations (NM1 and NM2);
- weather station;
- maintenance workshop;
- crushing, grinding and stockpile area;
- sedimentation dams and discharge point; and
- the conservation offset area.

Photographs taken during the site inspection are included in Appendix C.

2.6 Consultation

Request for input into the IEA scope was sought from DPPI, EPA, and Council 15 November 2024 and further requested 10 December 2024. A response was received from DPPI which provided acknowledgement of the IEA request. No further feedback was received from DPPI, EPA or Council.

Evidence of agency correspondence is provided in Appendix D.

2.7 Compliance status descriptors

The compliance status for each condition will be determined using the following descriptors:

- Compliant – where sufficient evidence to demonstrate compliance within the scope of the audit has been collected.
- Non-compliant – where one or more specific elements of the conditions or requirements have not been complied with.
- Not triggered – where the requirements have an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken and assessment of compliance is not relevant.

3 AUDIT FINDINGS

3.1 Approval and document list

A list of approvals and documents that were audited are contained in Appendix E.

3.2 Compliance performance

During the audit, there was a total of 15 non-compliances identified out of 64 conditions of the Development Consent. This represents approximately 23%, of which related to environmental plans / programs not being verified or approved by the relevant Department. A total of 9 of the non-compliances from the previous audit (EMM, 2019) were closed out and 1 remains open with a further non-compliance recorded.

The compliance table including all 64 conditions of the Development Consent is provided in Appendix F.

3.3 Summary of agency notices, orders, penalty notices or prosecutions

The summary of agency notices, orders, penalty notices and prosecutions for the audit period is summarised in Table 1.

Table 1: Summary of agency notices, orders, penalty notices and prosecutions

Type and date	Issue
Warning Letter from DPIE (dated, 3 July 2020)	Breach of Section 4.2 of the EP&A Act 1979 by carrying out development not in accordance with the conditions of the Development Consent i.e., schedule 3, condition 19 for failure to implement the Flora and Flora Management Plan (FFMP) and failure to undertake ecological monitoring of the remnant vegetation on an annual basis in accordance with the Remnant Vegetation Conservation Plan.
Official Caution from DPIE (dated, 7 August 2020)	Breach of Section 4.2(1)(b) of the EP&A Act 1979 by carrying out development not in accordance with the conditions of the Development Consent i.e., schedule 4, condition 10 for failure to implement six-monthly reporting for MidCoast Council and nearby residents in accordance with the Communications Strategy since its approval in 2016.
Non-compliance notification from DPHI (dated, 19 January 2024)	Non-compliance notification for an exceedance of the short-term PM ₁₀ criterion in schedule 3, condition 13 of the Development Consent.
Non-compliance notification from DPIE (dated, 10 July 2020)	Breach of schedule 3, condition 6 of the Development Consent involving a blasting event conducted outside of approved hours, which occurred in the previous audit period.

Record of Breach letter
from DPIE (dated, 24
March 2021)

Breach of Section 4.2 of the EP&A Act 1979 by carrying out development not in accordance with the conditions of the Development Consent i.e., schedule 3, condition 18 for failure to implement suitable arrangements to provide long term security for the conservation offset area for Karuah Quarry to the satisfaction of the Planning Secretary by June 2008.

3.4 Non-compliances

Table 2 provides the non-compliances identified against the Development Consent, during the audit period.

Table 2: Non-compliance(s)

Condition	Details of Non-compliance(s)
<p>Condition 4, Schedule 2</p> <p>The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department’s assessment of: a) any reports, plans or correspondence that are submitted in accordance with this Development Consent; and b) the implementation of any actions or measures contained in these reports, plans or correspondence.</p>	<p>There was one instance identified where the Secretary of DPIE provided that HQPL did not comply with the following requirements, being:</p> <ol style="list-style-type: none"> 1) Warning Letter from DPIE dated 03 July 2020 Breach of Section 4.2 of the EP&A Act 1979 i.e., "...alleges that HQPL has breached schedule 4, condition 19 of DA 265-10-2004. HQPL failed to implement FFMP for Karuah Quarry as approved by the Secretary in 2008". DPIE requested a revised FFMP be submitted by 2 September 2020 and review and, if required, revise the EMP and EMS. <p>HQPL undertook a review of the FFMP and Environmental Management Strategy (EMS) which was submitted to DPIE for approval 26 August 2020. There was no evidence that the Environmental Monitoring Program (EMP) was reviewed per DPIEs request until it was resubmitted and approved September 2023.</p>
<p>Condition 13, Schedule 2</p> <p>(As amended by NSW Land and Environment Court On 29 September 2006 and provided in attachment 1).</p> <p>The applicant shall pay Council periodic contributions for the maintenance and repair of Council roads until the cessation of quarrying in site.</p> <p>The first payment shall be made Within 14 days of 31 December 2006, and cover the haulage undertaken on Council Roads from 1 July 2006 to 31 December 2006. The first payment shall be calculated at a rate of 3.16 cents per m³ of</p>	<p>There was no evidence that section 94 contributions had been paid to Council on a yearly basis within 14 days of 31 December or that the annual payments were calculated accordingly.</p> <p>Invoices were sighted to show that payments for the years 2018 – 2022 were made to Council as a lump sum payment, June 2023 and annual payments made August 2023 and July 2024.</p>

Condition	Details of Non-compliance(s)
<p>material per kilometre hauled ('Initial Contribution Rate')</p> <p>All subsequent payments shall be made on a yearly basis (within 14 days of 31 December) to cover the haulage undertaken on Council roads in each preceding 12-month period, and indexed at the time of each payment in accordance with the following formula:</p> $\text{Contribution rate at the time of payment} = \text{Initial Contribution Rate} \times \frac{\text{CPI 1}}{\text{CPI 2}}$ <p>CPI 1 = CPI at the time of payment</p> <p>CPI 2 = CPI at the date of the first payment (i.e. within 14 days of 31 December 2006)</p> <p>CPI = the latest available Consumer Price Index (All Groups Index for Sydney)</p>	
<p>Condition 3, Schedule 3</p> <p>Within 6 months of the date of this consent, the Applicant shall prepare and implement a Noise Monitoring Program for the development to evaluate compliance with the noise impact assessment criteria in this consent, in consultation with the DEC, and to the satisfaction of the Director-General.</p>	<p>A revised Noise Monitoring Program (NMP) has been prepared and contained in the EMP (revision 6C, dated 11 September 2023).</p> <p>The EMP has been approved by DPE however, there is no evidence to confirm that the NMP (contained within the EMP) has undergone consultation and / or approved to supersede the previous approved version (Version 5, December 2014).</p>
<p>Condition 13, Schedule 3</p>	<p>Particulate matter monitoring using high volume air samplers established by HQPL for the Karuah East Quarry is being used by HQPL to assess compliance against the criteria listed in Table 6 and 7 at Karuah Quarry. This is not consistent with the</p>

Condition	Details of Non-compliance(s)
<p>The Applicant shall ensure that the dust emissions generated by the development do not cause additional exceedances of the ambient air quality impact assessment criteria listed in Tables 6, 7, and 8 at any residence on, or on more than 25 percent of, any privately owned land.</p>	<p>Air Quality Monitoring Program (AQMP) and therefore the data collected for Karuah East cannot be verified as adequate and representative of Karuah Quarry to demonstrate compliance with the condition.</p> <p>Further, exceedances of the depositional dust criteria have been reported. These exceedances include:</p> <ul style="list-style-type: none"> • June 2023 monitoring period (6 June to 4 July 2023) monitoring results indicated that total dust from DDG4 exceeded the limit of 4 g/m²/month due to becoming contaminated with combustible organic material; and • November 2023 monitoring period (2 November to 30 November 2023) monitoring results indicated that DDG2 exceeded the monthly limit of 4 g/m²/month due to becoming contaminated with combustible organic material.
<p>Condition 15, Schedule 3</p> <p>Within 6 months of the date of this consent, the Applicant shall prepare and implement an Air Quality Monitoring Program for the development to evaluate compliance with the air quality impact assessment criteria in this consent, in consultation with the DEC, and to the satisfaction of the Director-General.</p>	<p>A revised AQMP has been prepared and contained in the EMP (revision 6C, dated 11 September 2023). The EMP has been approved by DPE however there is no evidence to confirm that the AQMP (contained within the EMP) has undergone consultation and / or been approved to supersede the previous version.</p> <p>Consistent with the AQMP contained in the EMP, deposition dust monitoring is being carried out at 4 monitoring locations. However, particulate matter monitoring is not being implemented consistent with the requirements of the AQMP.</p> <p>The AQMP states 'High Volume Air Sampler (HVAS) will be used by HQPL in the event that they are required to investigate any air quality complaints unless otherwise directed by DPE, the results of the HVAS monitoring shall be reported as per Section 3.0 of this EMP'. Instead, HQPL are reporting particulate matter monitoring results from the adjoining Hunter Quarry Karuah East site and using the results to assess compliance of Karuah Quarry against the Development Consent and reporting associated non-compliances.</p>
<p>Condition 19, Schedule 3</p> <p>Before carrying out any clearing associated with Stage 2 of the development, the Applicant shall prepare, and subsequently implement, a Flora and Fauna Management Plan for the development to the satisfaction of the Director-General. This plan must include: a) a Vegetation Clearing Protocol; b) a Remnant Vegetation</p>	<p>A revised FFMP has been prepared (September 2020) and approved by DPIE (October 2020) and includes the requirements of condition 19a - 19c.</p> <p>Consistent with correspondence issued from the DPIE (dated 03 July 2020) HQPL failed to implement the FFMP in 2019 and up until the approval of its revision in September 2020, as annual ecological monitoring was not undertaken annually in accordance with the requirements.</p> <p>The FFMP has been amended to require biannual monitoring and was evidenced to be implemented. Ecological monitoring reports for 2020 and 2022 were sighted.</p>

Condition	Details of Non-compliance(s)
<p>Conservation Plan; and c) a Conservation Offset Management Plan.</p>	
<p>Condition 24, Schedule 3</p> <p>Except as may be expressly provided by an Environment Protection License, the Applicant shall comply with section 120 of the Protection of the Environment Operations Act 1997 during the carrying out of the development.</p>	<p>An uncontrolled discharge occurred from sediment dam 2 (SD2) via LDP001 was experienced on 26 October 2020, where the Quarry received 278.4mm of rain in a period of 12 hours. HQPL self-reported the incident using the EPA Pollution hotline and a summary of the incident was provided to both DPIE and the NSW EPA.</p> <p>A discharge event, consisting of six days of uncontrolled discharges from SD2 occurred between 18 March 2021 to 23 March 2021. The uncontrolled discharges from this period exceeded the TSS limit of the EPL (50mg/L). The EPA Pollution Hotline was contacted to self-report the incident. DPE and the NSW EPA were also both contacted and provided with a summary of the incident and an environmental incident report.</p>
<p>Condition 25, Schedule 3</p> <p>The Applicant shall only discharge water from the development in accordance with the provisions of a DEC Environment Protection License</p>	<p>Water was discharged from the development outside of the provisions of the Environment Protection Licence and reported to the EPA as an incident. See details above.</p>
<p>Condition 28, Schedule 3</p> <p>The Applicant shall:</p> <p>a) measure: • the volume of water discharged from the site via licensed discharge points; • water use on the site; • water transfers across the site; and • dam and water structure storage levels. b) regularly monitor the quality of the surface water discharged from the licensed discharge points on the site;</p> <p>to the satisfaction of the DEC and the Director-General.</p>	<p>Records and evidence to demonstrate that HQPL are measuring and monitoring water discharge, use, transfer and storage in accordance with the condition was not provided.</p> <p>It was advised that HQPL, in 2024 had installed flow meters at discharge points and data loggers to record dam levels.</p>
<p>Condition 29, Schedule 3</p>	<p>Evidence of progress reporting on the revegetation and maintenance of the visual bund within the AEMRs was not sighted.</p>

Condition	Details of Non-compliance(s)
<p>The Applicant shall:</p> <ul style="list-style-type: none"> a) implement all practicable measures to minimise the visual impacts of the development; b) retain, re-vegetate and subsequently maintain a visual bund within the Stage 1 works area (in accordance with Figures 13 and 14 of the EIS) to minimise the visual impacts of development; c) include a progress report on the re-vegetation and maintenance of the visual bund in the AEMR, to the satisfaction of the Director General. 	
<p>Condition 34, Schedule 3</p> <p>The Applicant shall: a) monitor the amount of waste generated by the development; b) investigate ways to minimise waste generated by the development; c) implement reasonable and feasible measures to minimise waste generated by the development; and d) report on waste management and minimisation in the AEMR. to the satisfaction of the Director-General.</p>	<p>There was no evidence sighted to demonstrated methods that HQPL had used to minimise waste generation, and/or the implementation of waste minimisation methods. Further, waste management and minimisation were not reported in the AEMRs during the audit period.</p>
<p>Condition 43, Schedule 3</p> <p>Within 3 years of lodging the rehabilitation bond with the Director-General, and every 5 years thereafter, unless the Director-General directs otherwise, the Applicant shall review, and if</p>	<p>The sum of the rehabilitation bond was not revised within 5 years as required. Instead, a revision was undertaken 2023 / 2024. The revised sum has since been approved by DPE (dated, 9 January 2024) and the Bank Guarantee lodged.</p>

Condition	Details of Non-compliance(s)
<p>necessary, revise, the sum of the rehabilitation bond to the satisfaction of the Director-General. This review must consider: a) the effects of inflation; b) any changes to the area of disturbance; and c) the performance of any progressive rehabilitation which has been undertaken at the site.</p>	
<p>Condition 10, Schedule 4</p> <p>If the Applicant does not receive at least two expressions of interest to serve on the CCC the Applicant shall instead develop a communications strategy for consulting with Council and residents within 2 km of the development, to the satisfaction of the Director-General. This strategy should outline how the Applicant will advise Council and nearby residents on its environmental management plans, monitoring results, audit reports or complaints. This communication should occur twice a year.</p>	<p>A communication strategy has been prepared and contained in the EMP (revision 6C, dated 11 September 2023).</p> <p>The EMP has been approved by DPE however there is no evidence to confirm that the communications strategy (contained within the EMP) has been approved.</p>

3.5 Previous audit recommendations

Table 3 provides a summary of the previous audit findings and recommendations from the previous audit report (EMM, 2019) which covered the audit period 25 July 2014 to 31 July 2019. All previous audit findings have been closed out since the audit except in relation to condition 13 and 14 of schedule 3 as detailed below.

Table 3: Previous Audit Recommendations

Relevant Condition	Audit finding and proposed action(s)		Status
Condition 6 Schedule 3	<p>October 2018 at 3:05pm. As outlined in this condition, blasting is to occur between 9am and 3pm (Monday to Friday) inclusive. No evidence was provided during the audit to suggest that approval had been received by EPA or DPIE to allow blasting to be undertaken outside of standard hours.</p> <p>Based on the above HQPL are deemed non-compliant with this condition. In addition, it is reported in AEMRs that two blasting events occurred on the same day, up to 10 minutes apart on:</p> <ul style="list-style-type: none"> - 30/1/2018 - 3/2/2017 - 8/4/2016 - 8/7/2016 - 14/11/2014 and - 1/12/2014 	<p>Sub-condition b) of this condition outlines blasting events may only take once per week. HQPL should seek advice from DPIE as to whether these events are the same blasting 'event' due to the small amount of time between blasts. Careful monitoring of the time blasts are initiated should also be undertaken to ensure blasting occurs within the required timeframes.</p>	<p>Closed.</p> <p>Correspondence from DPIE 10 July 2020 provides advice on classifying a 'blast event'.</p> <p>No further blasts were reported to occur outside the required timeframes.</p>

	Only 1 blast is allowed per week in accordance with this consent condition.		
Condition 13 Schedule 3 AND Condition 14 Schedule 3	These conditions require the monitoring of PM10 and TSP in order to show compliance. No TSP or PM10 monitoring has been undertaken during the audit period at Karuah Quarry.	<p>EMM recommends the following:</p> <p>HQPL enter formal discussions regarding the requirement for PM10 / TSP monitoring with DPIE, and following agreement with DPIE, amend the EMP as required.</p> <p>Furthermore, following DPIE agreement, HQPL to revise EMP to include HVAS, PM10 and TSP monitoring for Karuah Quarry based on the HVAS utilised for the Karuah East Quarry and report data in future AEMRs, in accordance with Development Consent.</p>	<p>Open.</p> <p>There was no evidence to confirm that formal discussions were held with DPE regarding the requirement for PM10 / TSP monitoring.</p> <p>HQPL have in part undertaken action to remedy the non-compliance by updating the EMP and to require only HVAS monitoring following a complaint or DHIE direction. However there remains an inconsistency in what is stated in the EMP and what is being implemented on site.</p> <p>See Table 2, Condition 13, Schedule 3 for details of this non-conformance.</p>
Condition 18 Schedule 3	No formalised evidence or correspondence was provided to show that a Binding Covenant (e.g. Conservation Deed or Agreement) had been prepared and approved for the Offset Area as required by this condition.	It is recommended HQPL follow up with DPIE and OEH in regard to an arrangement (e.g. deed or agreement) which details long term security for the conservation offset area.	<p>Closed.</p> <p>The long-term security of the conservation offset area was established via Restrictive and Positive Covenants and approved by DPIE 17 November 2021. The requirement of this condition has now been met.</p>
Condition 19 Schedule 3	The FFMP (2014) was sighted as part of the audit. No evidence of correspondence with DPIE for the approval of the 2014 version of the management plan was able to be provided.	It is recommended that HQPL reviews and updates the FFMP (including sub-plans) and submit the plan to DPIE for approval	<p>Closed.</p> <p>The FFMP was revised and approved by DPIE 13 October 2020.</p>
Condition 21 Schedule 3	HQPL has prepared and implemented a Remnant Vegetation Conservation Plan which adequately addressed measures for conservation, maintenance	EMM recommended that Environmental Monitoring be conducted biannually to ensure all ecological values are monitored	<p>Closed.</p> <p>Biannual ecological monitoring reports for 2020 and 2022 were sighted.</p>

	<p>and enhancement of the vegetation on site and includes performance measures over time as required by this consent condition. However, it is noted that monitoring efforts for remnant vegetation areas ceased in 2011.</p> <p>The last audit (MCW 2014) recommended that Environmental Monitoring be conducted biannually to ensure all ecological values are monitored to determine any changes within communities.</p> <p>No monitoring has been conducted during the audit period.</p> <p>HQPL has prepared and implemented a Remnant Vegetation Conservation Plan which adequately addressed measures for conservation, maintenance and enhancement of the vegetation on site and includes performance measures over time as required by this consent condition. However, it is noted that monitoring efforts for remnant vegetation areas ceased in 2011.</p> <p>The last audit (MCW 2014) recommended that Environmental Monitoring be conducted biannually to ensure all ecological values are monitored to determine any changes within communities.</p> <p>No monitoring has been conducted during the audit period.</p>	<p>to determine any changes within communities.</p>	
<p>Condition 26, Schedule 3</p>	<p>SWMP (2016) approved by DPIE in letter dated 1 April 2016, sighted and meets conditions of consent.</p> <p>Audit actions from the previous audit, while addressed in Table 1 of the current Site Water Management Plan (2016), do not appear to be fully</p>	<p>EMM recommended that HQPL update the Site Water Management Plan to include a procedure for adequate management of the water discharge valve based on dam water levels and to</p>	<p>Closed</p> <p>The SWMP was updated September 2023 and approved by DPE (22 September 2023, reference DA265-10-2004-PA-18).</p>

	<p>implemented at the site, as evidenced by the discharge scenario identified during the site inspection (refer to Condition 24 compliance in Appendix 1).</p> <p>It was unclear during the site inspection if a water level sensor was installed on Dam 2 or if an alarm was set for high water levels in the dam.</p> <p>The SWMP states that these items have been installed and implemented.</p>	<p>formalise roles and responsibilities in relation to water discharge events. HQPL should also confirm that the high-level sensor and alarm system has been implemented at site.</p>	
<p>Condition 28 Schedule 3</p>	<p>The previous audit (MCW 2014) considered part a) of this condition 'noncompliant' and part b) 'compliant'. The following recommendations were made in light of this, including:</p> <ul style="list-style-type: none"> - HQPL install a gauge to monitor and record the water levels in the dam; - a level alarm is to be provided for the gauge to warn if high levels occur; - a method to measure the volume of discharge flows from the site to be installed; and - a systemised approach is applied to managing the risk of dam levels rising and overtopping, that a number of people on site are made aware of. <p>The SWMP (2016) states that the water level in Sediment Dam 2 is monitored via an electronic height sensor, however the sensor did not appear to be operating during the site inspection. The SWMP describes that the flow of water can be estimated based on the flow through the discharge pipeline.</p>	<p>EMM recommended the following:</p> <p>HQPL to revise the SWMP to formalise adequate management procedures of discharge point.</p>	<p>Closed.</p> <p>As above and per the EMM recommendation, the SWMP was updated September 2023 and approved by DPE (22 September 2023, reference DA265-10-2004-PA-18).</p>

	<p>The 2018 AEMR outlines that the site has the ability to pump water back up into the pit area (unused section) to increase capacity.</p> <p>Based on the site inspection it is not evident that any of the audit actions from the previous audit had been addressed, as discharge was occurring during the inspection after a 10 mm rainfall event, when no discharges had previously occurred at the site according to documentation reviewed for the audit.</p>		
Condition 36 Schedule 3	<p>The Bushfire Management Plan (BMP-GSSE dated August 2006) was updated and finalised in December 2014. No evidence of approval of the plan from council or RFS was available for observation. A copy of the plan was sighted during the audit.</p> <p>Plant and equipment available onsite for firefighting purposes includes: - water storage dam (Sediment Dam 2) with a permanent fill point for tankers, and a 50,000 L clean water tank; - water tanker and earth tanking equipment; fire extinguishers; warning alarm siren; and - portable radios.</p> <p>HQPL also employee site induction training specific to emergency response. Site Induction Training was observed and noted.</p>	<p>EMM recommended that HQPL follow-up with Council and RFS regarding the approval of this plan so that it is approved in accordance with the condition requirement.</p>	<p>Closed.</p> <p>Email correspondence between HQPL and Council (dated, 8 June 2023), with NSW RFS (dated, 7 July 2023) confirming review and acceptance of the BfMP with no further comment.</p>
Condition 4 Schedule 4	<p>The EMP does not appear to have been updated and approved by DPIE following the previous IEA.</p>	<p>EMM recommended HQPL is to review and update EMP within specified timeframe of the completion of the IEA (2019) in accordance with this consent condition.</p>	<p>Closed.</p> <p>The previous 2019 IEA was completed 16 October 2019 and a review and update to the EMS was undertaken in August 2020. There is no evidence that a review of the EMS was undertaken within 3 months of the IEA.</p>

			As a review and update to the EMP was completed following the EMM 2019 audit, this noncompliance has been closed. It is noted however that this audit identified a noncompliance with Schedule 4, Condition 4 as the EMP review was not undertaken within the specific timeframe.
Condition 10 Schedule 4	No evidence supplied of submission of reports in accordance with the communications strategy detailed in the EMS.	EMM recommend that these reports are prepared as discussed in the EMS and as required by this condition of consent. Alternatively, a CCC for Karuah Quarry should be implemented; or the EMS should be revised to detail an alternative communications strategy that can be met by HQPL.	Closed. Biannual community consultation reports including monitoring results and complaints were sighted on HQPL's website for public viewing, consistent with the requirements of the condition.

3.6 EMP, Sub-plans and compliance documents

An overview of the key management plans required under the Development Consent, in relation to adequacy, implementation and opportunities for improvement is provided below.

3.6.1 Environmental Management Strategy

The EMS was revised in August 2020 in response to the 2019 EMM IEA. The document contains processes for emergency response, training and awareness, inspection, incident reporting and a number of other system related requirements. HQPL were observed to be operating generally in accordance with the requirements of the document.

Although outside the audit period, it is noted that the EMS has now been replaced by the *Environmental Management Strategy & Monitoring Program (December 2024)*.

3.6.2 Environmental Monitoring Program

The EMP was revised in 2023 further to the 2014 version. The document contains a number of documents required by the Development Consent including:

- Air Quality Monitoring Program;
- Noise Monitoring Program;
- Communication Strategy;
- Site Water Management Plan; and
- Surface Water Monitoring.

In relation to the Program the following observations were made:

- Air quality monitoring was not carried out as required by the plan;
- The Site Water Management Plan and Surface Water Monitoring requirements were also contained with the SWMP (September 2023) providing both duplication and differences in the requirements; and
- Although the EMP had been approved by DPE (September 2023) there was no evidence that the individual programs, plans and strategy have been independently approved by DPE (or relevant Department) per the requirements on the relevant condition.

Although outside the audit period and not reviewed, it is noted that the EMS has since been updated and replaced by the *Environmental Management Strategy and Monitoring Program (December 2024)*.

3.6.3 Flora and Fauna Management Plan

The FFMP was revised 2020 further to the 2014 version. The document contains the Vegetation Clearing Protocol, Remnant Vegetation Conservation Plan and the Conservation Offset Management Plan as well as requirements for biannual.

The Plan was observed to be implemented generally consistent with the requirements.

3.6.4 Rehabilitation and Closure Plan

The Rehabilitation and Closure Plan was revised 2024 to account for amendments to the planned operation and closure of the quarry. Accordingly, rehabilitation will not commence until 2025 / 2026 when the closure of Stage 1 is planned.

3.7 Environmental performance

The Audit Team assessed Karuah Quarry to have made continual improvements since the last audit period including to:

- Review and update key environmental management plans and monitoring programs;
- Establishing covenants for the ongoing offset of biodiversity values;
- Undertaking environmental monitoring; and
- Responded to and reported environmental incidents, complaints and nonconformances.

The site was observed to be operating with environmental management systems in place, knowledgeable and adequate environmental staff and having regard to statutory obligations and reporting requirements. Registers and documentation were available for viewing and site representatives accommodated the Audit Team and adequately responded to requests.

3.8 Consultation outcomes

No requests were received from relevant government agencies i.e., DPHI, NSW EPA, and Council. Copies of the letters notifying agencies of the IEA and inviting input to the Karuah Quarry is provided in Appendix D.

3.9 Complaints during the audit period

The Audit Team sighted the HQPL complaint register for the audit period. The complaint register appeared to be up to date with the last complaint being recorded in February 2024.

Over the course of the audit period there were 9 recorded complaints. Out of the 9 complaints recorded, 5 related to noise and vibration, 3 related to air quality and dust, 1 related to water quality and 1 other. Complaint records showed that complaints were closed out generally within 1 to 2 days of the complaint being received.

HQPL advised that when a complaint is received, it is recorded electronically and investigated by the relevant site personnel and notified to the relevant agency where required.

The complaints which are detailed below, in Table 4.

Table 4: Community Complaints During the Audit Period

Date	Category	Complaint	Result
August 2019	Other	Previous complaints not recorded.	Staff made aware to record complaints in register.
November 2019	Noise & Vibration	Noise levels increased, suspected crusher operation.	Operations were compliant with consent hours and criteria.
February 2020	Noise & Vibration	Loud noise at 3am, believed to be from the quarry.	Quarry not operational at the time.
November 2020	Noise & Vibration	Quarry operating outside approved hours.	Operations within approved hours and no unusual noise found.
September 2021	Noise & Vibration	Noise believed to be beyond approved limits.	Operations within approved limits.
September 2021	Dust	Observed dust plume.	Dust plume from scheduled blast event, compliant with consent.
January 2022	Noise & Vibration	Noise heard at 9:20pm, suspected to be machinery operating.	No operations past 6:00pm.
January 2022	Air/Water Quality	Concerns about air quality and water pollution.	Monitoring data provided. no further action required
February 2024	Dust	Dust impacting private property.	Dust levels within approved limits.

3.10 Incidents

A summary of reported incidents is summarised in Table 5.

Table 5: Reported incidents during the audit period

Incident Year	Incident Summary
2020	In October 2020, HQPL reported that the EPA Pollution Hotline was contacted to self-report an uncontrolled discharge from SD2 following an extreme weather event.
2021	In March 2021, there was an uncontrolled discharge from SD2 where TSS levels exceeded EPL limits. The Pollution Incident Response Management Plan (PIRMP) was activated, and relevant authorities were notified.
2022	An emergency debriefing report dated; November 2022 was sighted which outlines the event of an electrical fault resulting in a fire starting below a power pole. HQPL activated the emergency response procedure and were assisted by the NSW Rural Fire Service in extinguishing fire.
2023	<p>Three exceedances of environmental performance criteria related to air quality occurred:</p> <p>June 2023 – A minor exceedance of PM₁₀ (51µg/m³) was recorded, exceeding the short-term criteria (51µg/m³). The exceedance was reported, and a review of dust suppression equipment was conducted.</p> <p>June 2023 – Contamination of DDG4 and DDG5 with organic material; dust gauges were contaminated with organic vegetation matter, resulting in failure to monitor.</p> <p>November 2023 – Contamination of DDG2 with organic material; similar contamination resulted in a failure to monitor.</p> <p>Both contamination events were reported to the EPA and surrounding landholders notified, and no further regulatory action required. HQPL proposed relocating dust gauges to mitigate future contamination risks.</p>

3.11 Actual Versus Predicted Environmental Impacts

Based on the evidence collected during the audit (including document review, site inspection and interviews), it is assessed that HQPL quarry operations are generally consistent with the predicted environmental impacts.

Notwithstanding, a number of incidents, non-compliances and complaints occurred within the reporting period relating to water and air quality and noise impact. The Audit Team assessed these events to be one off event and that they do not represent significant long term impact or trends that were are outside of what was predicted.

3.12 Site Inspection

The Audit Team conducted a site inspection, 10 December 2024, during which the Audit Team were accompanied at all times by the HQPL Environment and Development Manager. The site inspection was restricted to accessible areas within the site. During the site inspection, the Auditors observed the site to be generally well maintained with no signs of vegetation overgrowth within operational areas that may block safe view of site roads, machinery, and oncoming traffic. Signage was observed on the site and included the following:

- HQPL sign with contact details at the site entry (image 1, Appendix C);
- Signage notifying of the date of the next blast event (image 2, Appendix C);
- Keep Out: Conservation Offset Area (image 4, Appendix C);
- Sedimentation Dam Discharge Point (image 6, Appendix C);
- Emergency Spill Kit (Image 16, Appendix C).

During the site inspection, the Auditors observed water sprinkler trucks near the Karuah Quarry entrance and on the site spraying water on unsealed roads to suppress dust. Access ways and car parks were all perceived to be maintained with no obstructions or overcrowding. Dust gauges were observed on site (image 8, Appendix D). The Auditors were shown survey markers in place which marked the boundary of the operational areas of the site (image 11, appendix D). The Auditor(s) were also shown the crush and stockpile area (image 13 and 14, appendix D), and a water sprinkler truck was observed carrying out dust suppression activities. The Auditor(s) were shown the site workshop (image 16-20, appendix D) which appeared to be maintained, and hydrocarbons, gas cylinders and other chemicals contained in drums and IBCs within a bunded area with accessible spill kits available.

Areas of concern observed:

- Additional objects/equipment observed in bunded area, including chairs (image 14, appendix C);
- Dust observed in crush and stockpile area (image 11 and 12, appendix C); and
- Sump observed to be full requiring pump out (image 18, appendix C).

These items were discussed with HQPL and action to rectify were proposed.

The full list of photographs captured during the site inspection are provided in Appendix C.

3.13 Site Interviews

The Audit Team conducted an interview during the same day as the site inspection, 10 December 2024 with the following site personnel:

- Environment and Development Manager; and
- Maintenance Leading Hand.

The audit interview with the Maintenance Leading Hand occurred at the site workshop and consisted of verifying processes for managing dust on site particularly in the crush and stockpile area. Additional information was verified for the maintenance and management of the bunded area next to the workshop along with collection and maintenance of the sump (image 13 to 15, Appendix C).

The Environment and Development Manager accompanied the Audit Team throughout the course of the site inspection and provided insights into each area of the site with particular relevance to the Development Consent. Following the site inspection the Audit Team and the Environment and Development Manager proceeded with a de-brief of the site inspection followed by questions pertaining to the conditions of consent.

4 RECOMMENDATIONS

4.1 Non-Compliances

A summary of the non-compliances identified during the audit period is provided in Table 2. Recommendations in relation to these non-compliances are provided below in Table 6.

Table 6: Auditor’s recommendations for non-compliances

Condition	Recommendation
Condition 4 Schedule 2 Terms of approval	Action closed. Refer opportunity for improvement in section 4.2.
Condition 13 Schedule 2 Section 94 contributions	If is recommended that HQPL make annual payments to Council within 14 days of 31 December each year and that the annual payment amount is verified to be correct for each payment made between 2019 and 2024 and for each future payment.
Condition 3 Schedule 3 Approval of Noise Monitoring Program	It is recommended that HQPL seek clarification from DPHI to confirm the NMP has been approved by virtue of approval of the EMP or otherwise seek approval from DPHI for the NMP.
Condition 13 Schedule 3 Ambient air quality impact assessment criteria	It is recommended that HQPL undertake air quality monitoring in accordance with conditions of approval to ensure that compliance with the air quality impact assessment criteria is being met and can be verified. An amendment to the AQMP and / or Development Consent may be required to ensure consistency.
Condition 15 Schedule 3 Approval of Air Quality Monitoring Program	It is recommended that HQPL seek clarification from DPHI to confirm the AQMP has been approved by virtue of approval of the EMP or otherwise seek approval from DPHI for the NMP.
Condition 19 Schedule 3 Implementation of Flora and Fauna Monitoring Program	The FFMP has been revised during the audit period and subsequently approved by DPIE (13 October 2020). Implementation of the Program was evident from the 2020 and 2022 ecological monitoring reports. As such it is recommended that HQPL continue to implement the Program.

Condition	Recommendation
Condition 24 Schedule 3 Section 120 of the Protection of the Environment Operations Act	It is recommended that HQPL undertake a holistic review and risk assessment of the site water management including water monitoring devices on site and in use, the measuring and monitoring requirements of condition 27 schedule 2 and history of related water discharge incidents. Accordingly, HQPL should review and update to the site water management plan and the associated erosion and sediment control plan, surface water monitoring program and site water balance to address the respective condition, risks and the operations on site.
Condition 25 Schedule 3 Environment protection licence	As above.
Condition 28 Schedule 3 Site water management	It is recommended that HQPL establish required monitoring equipment and record keeping processes to accurately record: <ul style="list-style-type: none"> • the volume of water discharged from the site via licensed discharge points; • water use on the site; • water transfers across the site; and • dam and water structure storage levels.
Condition 29 Schedule 3 Visual bund maintenance	It is recommended that HQPL monitor the re-vegetation and maintenance of the visual bund and report on its progress within the AEMRs.
Condition 34 Schedule 3 Waste minimisation	It is recommended that HQPL investigate, implement and report in the AEMRs actions to minimise waste generation.
Condition 43 Schedule 3 Rehabilitation bond bank guarantee	The rehabilitation bond bank guarantee was reviewed and revised 2023 / 2024. As such, it is recommended that HQPL undertake the next five-year review to meet the timeframes of the condition.
Condition 10 Schedule 4 Approval of communication strategy	It is recommended that HQPL seek clarification from DPPI to confirm the communication strategy has been approved by virtue of approval of the EMP or otherwise seek approval from DPPI for the communication strategy.

4.2 Opportunities for Improvement

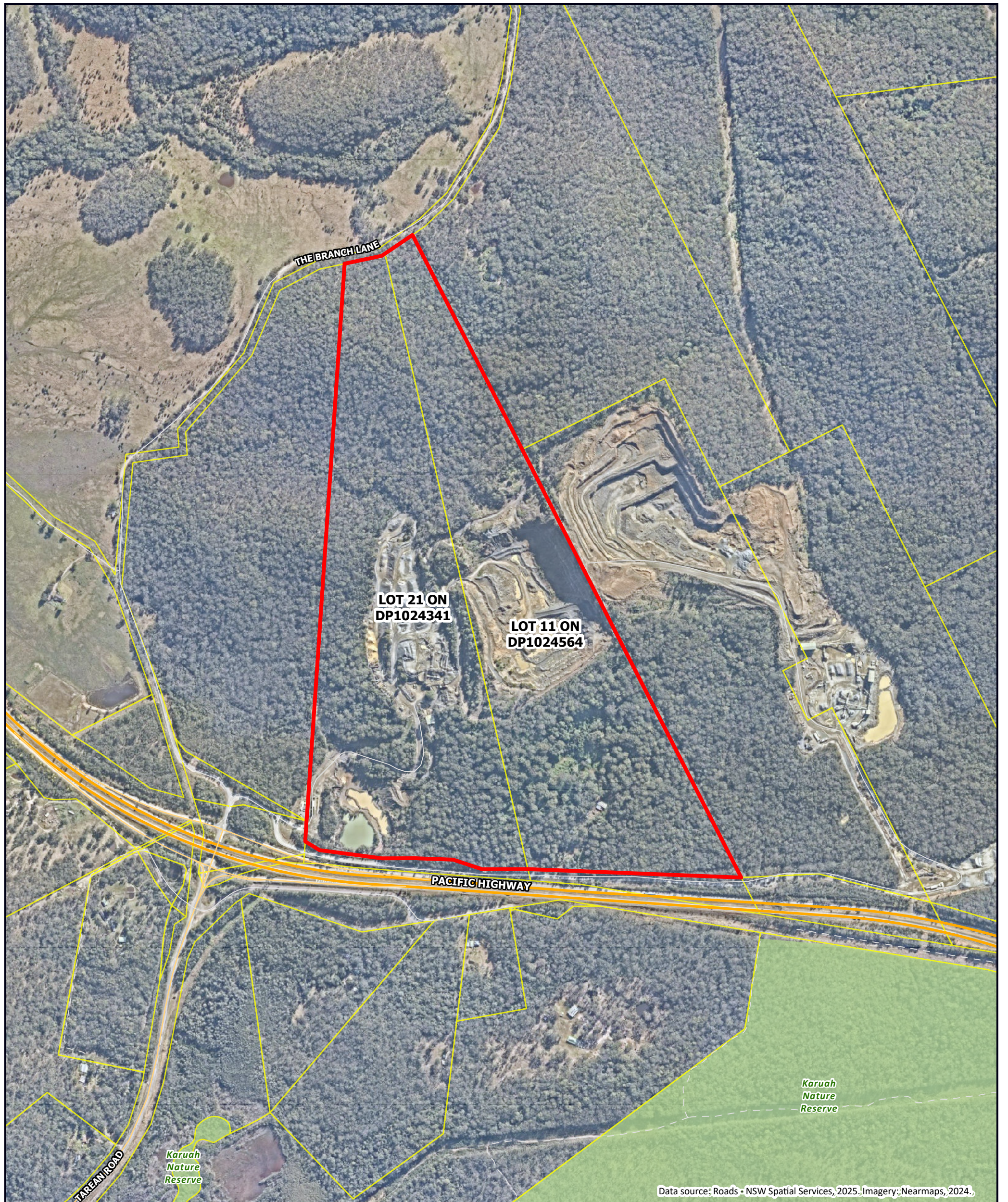
Opportunities for improvement are provided below in Table 7.

Table 7: Opportunities for Improvement

Condition	Recommendation
Condition 4 Schedule 2	A number of non-compliances were identified during the audit period where review of management plans and key dates were missed. Given this it is recommended that HQPL establish a compliance tracking system or similar to record all compliance tasks and due dates including management plan reviews, requirements arising from government agencies and actions following audits.
Condition 26 Schedule 3	<p>Several non-compliances related to site water management and water quality were identified. Given this it is recommended that HQPL undertake a holistic review and risk assessment of the site water management including water monitoring devices on site and in use, the measuring and monitoring requirements of condition 27 schedule 2 and history of related water discharge incidents.</p> <p>Accordingly, HQPL should review and update to the site water management plan and the associated erosion and sediment control plan, surface water monitoring program and site water balance to address the respective condition, risks and the operations on site.</p>

APPENDIX A

Approved Project Area



Data source: Roads - NSW Spatial Services, 2025. Imagery: Nearmaps, 2024.

LEGEND		LOCALITY 	APPROVED PROJECT AREA										
Approved Project Area	Current Roads		Karuah Quarry 15 Andersite Road Karuah NSW 2324										
Cadastre	Highway / Freeway		Hunter Quarries Pty Ltd										
Freehold	Main Road		<table border="1"> <tr> <td>Prepared:</td> <td>E Jackson</td> </tr> <tr> <td>Reviewed:</td> <td>A Davis</td> </tr> <tr> <td>Project:</td> <td>TE24108</td> </tr> <tr> <td>Revision:</td> <td>A Figure 01</td> </tr> <tr> <td>Date:</td> <td>4/02/2025</td> </tr> </table>		Prepared:	E Jackson	Reviewed:	A Davis	Project:	TE24108	Revision:	A Figure 01	Date:
Prepared:	E Jackson												
Reviewed:	A Davis												
Project:	TE24108												
Revision:	A Figure 01												
Date:	4/02/2025												
National Parks	Minor Road												
Nature Reserve	Other Road												

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APPENDIX B

Planning Secretary Endorsement

NSW Planning ref: DA265-10-2004-PA-31

Scott Ellerton
Environment & Development Manager
HUNTER QUARRIES PTY LTD
Worimi Country
PO Box 23
Karuah New South Wales 2324
04/11/2024

Sent via the Major Projects Portal only

Subject: Karuah Quarry - Endorsement request - 2024 IEA team

Dear Mr Ellerton

I refer to the request for the Planning Secretary's approval of suitably qualified, experienced, and independent persons to conduct an Independent Environmental Audit (IEA) of the Karuah Hard Rock Quarry, submitted as required by Schedule 4, Condition of development consent DA265-10-2004 as modified (the consent) to NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 28 October 2024.

NSW Planning has reviewed the independent auditor nominations and based on the information you have provided is satisfied that the proposed persons are suitably qualified, experienced, and independent.

In accordance with Schedule 4, Condition 6 of the consent and the NSW Planning *Independent Audit Post Approval Requirements (2020)*, as nominee of the Planning Secretary, I endorse the following IEA team:

- Leanne Cross – Lead Auditor
- Alfred Davis - Auditor

Please ensure this correspondence is appended to the IEA report.

The IEA must be prepared, undertaken, and finalised in accordance with the conditions of consent and the *Independent Audit Post Approval Requirements (2020)*. Failure to meet these requirements will require revision and resubmission.

Should you wish to discuss the matter further, please contact me on 02 65753401 or email compliance@planning.nsw.gov.au

Yours sincerely



A handwritten signature in black ink that reads "H Watters".





Heidi Watters
Team Leader
Compliance




As nominee of the Planning Secretary




APPENDIX C




Site Inspection Photographs

Image#	Image	Description
1	 A photograph showing a white sign on a metal stand at the site entry. The sign has the 'HUNTER' logo at the top and some text below. The background shows a dirt road and dense green trees.	HQPL signage on site entry.
2	 A close-up photograph of a white sign with a red border on a metal stand. The sign features the 'HUNTER' logo at the top. Below the logo, a red banner contains the text 'NEXT BLAST AT HUNTER QUARRIES'. Underneath, the sign lists 'DATE: 06/12/2024' and 'TIME: 12:30'. The background is filled with green foliage.	HQPL signage notifying of next blast event.

3		Road leading to Karuah Quarry entrance.
4		Signage on fence boundary of Karuah Quarry Conservation Offset Area.
5		Street Sweeper Truck.
6		Signage for sedimentation dam discharge point.

7	 A photograph showing a concrete structure, identified as a sediment dam, situated on a dirt bank next to a body of water. The water is slightly turbid. The background features a line of trees and a clear sky.	Sediment dam.
8	 A photograph of a dust gauge located in a wooded area. The gauge is a vertical post with a white sensor at the top. The surrounding area is filled with tall, thin trees and green grass.	Dust gauge.
9	 A photograph showing a dirt road or path leading through a wooded area. A yellow caution tape is strung across the path, serving as a site boundary marker. A white car is partially visible on the left side of the frame.	Site boundary markers.

10		Overview of Karuah Quarry operations.
11		Crush and stockpile area.
12		Stockpile area.

13		Workshop area.
14		Bunded area outside of workshop.
15		IBCs outside of workshop in concrete bunded area.

16



Emergency spill kit outside of workshop.

17



Sump outside workshop in concrete bunded area.

APPENDIX D

Consultation

Alfred Davis

From: Alfred Davis
Sent: Tuesday, 10 December 2024 3:28 PM
To: council@midcoast.nsw.gov.au
Subject: RE: Karuah Quarry Independent Environmental Audit Consultation Letter

Good afternoon,

Writing to confirm that the site inspection went ahead today as planned in conjunction with the Independent Environmental Audit @ Karuah Quarry (Corner of Andersite Road and Tarean Road, Karuah, New South Wales, 2324).


Please feel free to contact me should you have any questions or concerns.

Kind regards,

ALFRED DAVIS

Environmental Consultant

 1300 251 070  0431 028 849

 58 Cleary Street, Hamilton NSW 2303

We acknowledge the traditional owners of this land



This email, including any attachments, may contain personal, confidential or privileged information. If you are not the intended recipient, or if you have received this e-mail in error, please contact the sender immediately and delete all copies of this email and attachments. If you are not the intended recipient, you must not use, reproduce, disseminate or disclose any part of this e-mail or attachments

From: Alfred Davis
Sent: Friday, 15 November 2024 11:01 AM

To: council@midcoast.nsw.gov.au

Subject: Karuah Quarry Independent Environmental Audit Consultation Letter

Importance: High

To whom it may concern,


Please find attached Consultation letter for Independent Environmental Audit being conducted at Karuah Quarry (Corner of Andersite Road and Tarean Road, Karuah, New South Wales, 2324).

Thank you and regards,

ALFRED DAVIS

Environmental Consultant

 1300 251 070  0431 028 849

 58 Cleary Street, Hamilton NSW 2303

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Alfred Davis

From: Alfred Davis
Sent: Tuesday, 10 December 2024 3:28 PM
To: info@epa.nsw.gov.au
Subject: RE: Karuah Quarry Independent Environmental Audit Consultation Letter

Good afternoon,

Writing to confirm that the site inspection went ahead today as planned in conjunction with the Independent Environmental Audit @ Karuah Quarry (Corner of Andersite Road and Tarean Road, Karuah, New South Wales, 2324).


Please feel free to contact me should you have any questions or concerns.

Kind regards,

ALFRED DAVIS

Environmental Consultant

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From: Alfred Davis
Sent: Friday, 15 November 2024 11:03 AM

To: info@epa.nsw.gov.au

Subject: Karuah Quarry Independent Environmental Audit Consultation Letter

Importance: High


To whom it may concern,


Please find attached Consultation letter for Independent Environmental Audit being conducted at Karuah Quarry (Corner of Andersite Road and Tarean Road, Karuah, New South Wales, 2324).

Thank you and regards,

ALFRED DAVIS

Environmental Consultant

 1300 251 070  0431 028 849

 58 Cleary Street, Hamilton NSW 2303

We acknowledge the traditional owners of this land



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Alfred Davis

From: Jennifer Sage <jennifer.sage@dpie.nsw.gov.au>
Sent: Wednesday, 11 December 2024 2:22 PM
To: Alfred Davis
Subject: FW: Customer Service Enquiry (P-1194874)
Attachments: RE: Karuah Quarry Independent Environmental Audit Consultation Letter

Hello Alfred

Thanks for your update on the Independent Audit.

If you need to get in contact with the Compliance team, please use this email address: compliance@planning.nsw.gov.au

Regards
Jen

Jennifer Sage

Senior Compliance Officer
Development Assessment and Sustainability | Planning Compliance
Department of Planning, Housing and Infrastructure

M 0400 245 170 **T** (02) 6575 3420 **E** jennifer.sage@dpie.nsw.gov.au
516 High Street, Maitland NSW 2320

dphi.nsw.gov.au



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all Aboriginal and Torres Strait Islander staff working with the NSW Government.

From: Information Team <information@planning.nsw.gov.au>
Sent: Wednesday, December 11, 2024 10:10 AM

To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>

Subject: Fw: Customer Service Enquiry (P-1194874)

NSW Planning Portal Customer Service



Good morning Team,

This is in relation to your enquiry: RE: Karuah Quarry Independent Environmental Audit Consultation Letter.

Please see the attached letter in relation to audit for your team. This is projects DA265-10-2004-Mod-1.

Can someone from your team please respond directly to Alfred?

Regards,

Belinda
Customer Service Officer
Department of Planning, Housing and Infrastructure

E information@planning.nsw.gov.au

Locked Bag 5022
Parramatta NSW 2124

Working days Monday to Friday, 08:30am - 05:00pm



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

Please consider the environment before printing this email.

-----Forwarded message-----

From: Alfred Davis <alfred.davis@taliconsultants.com.au>
Date: Dec 10, 2024 3:29:01 PM
Subject: RE: Karuah Quarry Independent Environmental Audit Consultation Letter
To: information <information@planning.nsw.gov.au>

Good afternoon,

Writing to confirm that the site inspection went ahead as planned in conjunction with the Independent Environmental Audit @ Karuah Quarry (Corner of Andersite Road and Tarean Road, Karuah, New South Wales, 2324).


Please feel free to contact me should you have any questions or concerns.

Kind regards,

ALFRED DAVIS

Environmental Consultant

 1300 251 070  0431 028 849

 58 Cleary Street, Hamilton NSW 2303

We acknowledge the traditional owners of this land



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From: Alfred Davis
Sent: Friday, 15 November 2024 11:06 AM
To: information@planning.nsw.gov.au
Subject: Karuah Quarry Independent Environmental Audit Consultation Letter
Importance: High

To whom it may concern,

Please find attached Consultation letter for Independent Environmental Audit being conducted at Karuah Quarry (Corner of Andersite Road and Tarean Road, Karuah, New South Wales, 2324).

Thank you and regards,

ALFRED DAVIS

Environmental Consultant

📞 1300 251 070 📱 0431 028 849

📍 58 Cleary Street, Hamilton NSW 2303

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Alfred Davis

From: Alfred Davis
Sent: Wednesday, 8 January 2025 8:05 AM
To: Emma Coombs
Subject: RE: Karuah Quarry Independent Environmental Audit Consultation Letter [ref:!00D7F06iTix.!500Mn0Zrv7F:ref]

Good morning, Emma,

Thank you for your email and for sharing your information.

Kind regards,

ALFRED DAVIS

Environmental Consultant

📞 1300 251 070 📱 0431 028 849

📍 58 Cleary Street, Hamilton NSW 2303

We acknowledge the traditional owners of this land



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From: Emma Coombs <Emma.Coombs@epa.nsw.gov.au>
Sent: Tuesday, 7 January 2025 6:09 PM
To: Alfred Davis <alfred.davis@taliconsultants.com.au>
Subject: RE: Karuah Quarry Independent Environmental Audit Consultation Letter [ref:!00D7F06iTix.!500Mn0Zrv7F:ref]

You don't often get email from emma.coombs@epa.nsw.gov.au. [Learn why this is important](#)

Alfred,

I also meant to include a link to the EPA's Compliance Audit Handbook. [Compliance Audit Handbook](#)

Whilst it doesn't provide site specific input into your independent audit of the Karuah Quarry premises, it does provide the general procedures and protocols for conducting compliance audits that are followed by EPA officers when undertaking compliance audits of our licenced premises / across an industry sector.

Kind regards,

Emma

Emma Coombs

Unit Head - Operations (acting until 30 September 2025)
Regional Operations North
NSW Environment Protection Authority
D 02 4908 6831 | 0419683146



www.epa.nsw.gov.au @NSW_EPA

The EPA acknowledges the traditional custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal elders past, present and emerging.



Report pollution and environmental incidents 131 555 or (02) 9995 5555

From: Emma Coombs

Sent: Tuesday, January 7, 2025 6:00 PM

To: alfred.davis@talisconsultants.com.au

Subject: RE: Karuah Quarry Independent Environmental Audit Consultation Letter [ref:!00D7F06iTix.!500Mn0Zrv7F:ref]

Good Afternoon Alfred,

Thank you for notifying the EPA of your intention to undertake an audit of the Karuah Quarry premises. We note also that you inspected the premises on 10 December 2024.

The EPA supports the carrying out of audits to ensure Licensees have measures in place to meet their statutory obligations and designated environmental objectives. However, the EPA does not provide input into these activities as our role is to set environmental objectives for environmental/conservation management, not to be directly involved in the development of strategies to achieve those objectives.

Please note that it is a requirement for activities at the premises to remain consistent with relevant approvals, Environment Protection Licence No. 20611 (the Licence) and the *Protection of the Environment Operations Act 1997*. A copy of the Licence along with other information relevant to the EPA's administration of that licence can be found on the EPA's Public Register here: <https://www.epa.nsw.gov.au/licensing-and-regulation/public-registers/about-prpoeo>

Kind regards,

Emma

Emma Coombs

Unit Head - Operations (acting until 30 September 2025)

Regional Operations North

NSW Environment Protection Authority

D 02 4908 6831 | 0419683146



www.epa.nsw.gov.au @NSW_EPA

The EPA acknowledges the traditional custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal

elders past, present and emerging.



Report pollution and environmental incidents 131 555 or (02) 9995 5555

----- Forwarded Message -----

From: Alfred Davis [alfred.davis@talisconsultants.com.au]

Sent: 15/11/2024 11:02

To: info@epa.nsw.gov.au

Subject: Karuah Quarry Independent Environmental Audit Consultation Letter

To whom it may concern,


Please find attached Consultation letter for Independent Environmental Audit being conducted at Karuah Quarry (Corner of Andersite Road and Tarean Road, Karuah, New South Wales, 2324).

Thank you and regards,

ALFRED DAVIS

Environmental Consultant

 1300 251 070  0431 028 849

 58 Cleary Street, Hamilton NSW 2303

We acknowledge the traditional owners of this land





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ref:!00D7F06iTix.!500Mn0Zrv7F:ref

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APPENDIX E

Approval and Document List

-
- Development Consent DA-265-10-2004 (including changes made by the Land and Environment Court on 29 September 2006) issued under Section 80 of the *EP&A Act 1979*;
 - Environmental Impact Statement (EIS) for State Significant Development Application for an extension to an existing Hard Rock Quarry (Asquith & deWITT, 2004)

Annual Environmental Management Reports (prepared by Hunter Quarries Pty Ltd) for the Karuah Hard Rock Quarry:

- 2019 Annual Environmental Management Report (Period 16 January 2019 – 15 January 2020);
- 2020 Annual Environmental Management Report (Period 16 January 2020 – 15 January 2021);
- 2021 Annual Environmental Management Report (16 January 2021 – 15 January 2022);
- 2022 Annual Environmental Management Report (16 January 2022 – 15 January 2023);
- and
- 2023 Annual Environmental Management Report (16 January 2023 – 15 January 2024).

Environmental Management Systems and Plans:

- Environmental Management Strategy (August 2020);
- Environmental Monitoring Program (August 2023 & September 2023);
- Karuah Quarry Rehabilitation and Closure Plan (May 2021);
- Site Water Management Plan (September 2023);
- Bushfire Management Plan (August 2023); and
- Flora and Fauna Management Plan (September 2020).

Independent Environmental Audit(s):

- HQPL – Karuah Quarry Independent Environmental Audit 2019 (EMM, 2019).

Statutory Correspondence:

- DPIE letter to HQPL dated 03 July 2020 Warning Letter Breach of Section 4.2 of The Environmental Planning and Assessment Act 1979;
- DPIE letter to HQPL dated 10 July 2020 Karuah Quarry (DA 265-10-2004) Blasting outside approved hours (Schedule 3 Condition 6) – Record Breach;
- DPIE letter to HQPL dated 28 February 2020 Karuah Quarry – DA 265-10-2004 Independent Environmental Audit;
- DPIE letter to HQPL dated 24 March 2021 Record of Breach - Breach of Section 4.2 of the Environmental Planning and Assessment Act 1979;
- DPIE letter to HQPL dated 19 May 2020 Request for information or records on blasts – Karuah Quarry;
- DPIE letter to HQPL dated 3 June 2020 Karuah RFI – regarding blasts;
- DPIE letter to HQPL dated 5 June 2020 Show Cause Alleged Breach of Section 4.2 of the Environmental Planning and Assessment Act 1979;
- DPIE letter to HQPL dated 7 August 2020 Official Caution Breach of Section 4.2 of the Environmental Planning and Assessment Act 1979;

- DPIE letter to HQPL dated 12 June 2020 Karuah Quarry (DA 265-100-2004) – Flora & Fauna Management Plan 200526 DPIE to HQ – Show Cause Letter – Karuah Quarry – Flora and Fauna Management Plan.pdf
- DPE letter to HQPL dated 22 September 2023 Karuah Quarry – Environmental Monitoring Program (revision 6C, dated 11 September 2023) – nominee of the Planning Secretary approval;
- DPIE letter to HQPL dated 2 October 2020 Karuah Hard Rock Quarry (DA 265-10-2004) Environmental Management Strategy (dated August 2020) – planning Secretary approval;
- HQPL letter to DPIE dated 18 May 2020 DA 265-10-2004 – Karuah Hard Rock Quarry Condition 18 – Conservation Offset Area Draft Caveat for Long term Security of Conservation Offset Area;
- HQPL letter to DPIE dated 22 June 2020 HQPL (Karuah Quarry) – Show Cause Response – Schedule 3, Condition 19 of DA 265-10-2004;
- HQPL email, dated 14 September 2020, corresponding with DPIE regarding Karuah Quarry – KHRQ – Flora and Fauna Management Plan Aug 2020 (DA265-10-2004-PA-7)-Reminder of Due Date for Response to RFI;
- DPIE letter to HQPL dated 3 August 2020 Karuah Hard Rock Quarry (DA 265-10-2004) Rehabilitation and Quarry Closure Plan;
- DPHI letter to HQPL dated 2 August 2024 Karuah Quarry Rehabilitation & Closure Plan 2024;
- HQPL letter to DPE, dated 15 August 2024, regarding Karuah Hard Rock Quarry – Rehabilitation and Closure Plan;
- HQPL letter to DPE, dated 21 December 2023, regarding Karuah Hard Rock Quarry – Rehabilitation Bond;
- DPE letter to HQPL dated 9 January 2024 Karuah Quarry Rehabilitation Bond Calculation (regarding submission dated 21 December 2023, requesting approval of the rehabilitation bond calculation);
- DPIE letter to HQPL dated 15 December 2020 Karuah Hard Rock Quarry (DA 265-10-2004) Public Positive Covenant and Restriction in Use of Land Covenant;
- DPIE letter to HQPL dated 15 July 2020 Karuah Quarry (DA 265-10-2004) Annual Review 2019;
- DPIE letter to HQPL dated 15 February 2022 Karuah Quarry (DA 265-10-2004) Annual Environmental Management Report 2020;
- DPE letter to HQPL dated 11 May 2023 Karuah Quarry (DA 265-10-2004) Annual Environmental Management Report 2021;
- DPE letter to HQPL dated 15 May 2023 Karuah Hard Rock Quarry (DA 265-10-2004) 2022 Annual Environmental Management Report – Request for Additional Information;
- DPE letter to HQPL 26 June 2023 Karuah Quarry (DA265-10-2004) – 2022 Annual Review;
- HQPL letter to DPE, dated 18 July 2023, regarding Failure to Monitor Notification: Air Quality Monitoring Contamination of Depositional Dust Gauges;
- HQPL letter to NSW EPA, dated 18 July 2023, regarding Failure to Monitor Notification: Air Quality Monitoring Contamination of Depositional Dust Gauges;
- **Other Correspondence:**
 - MidCoast Council email, dated 8 June 2023, responding to consultant (ADW Johnson) acting on behalf of HQPL regarding Karuah Quarry (DA265-10-2004) – Request for Comment on Revised Bushfire Management Plan;

- RFS email, dated 5 July 2023, responding to consultant (ADW Johnson) acting on behalf of HQPL regarding Karuah Quarry (DA265-10-2004) – Request for Comment on Revised Bushfire Management Plan; and
- RFS email, dated 7 July 2023, responding to consultant (ADW Johnson) acting on behalf of HQPL regarding Karuah Quarry (DA265-10-2004) – Request for Comment on Revised Bushfire Management Plan.
- **Maintenance and Service Records:**
 - Karuah Quarry – section 94 Contributions, dated 30 June 2023;
 - HQPL FY23 s94 Contributions Remittance Advice, dated 3 August 2023;
 - HQPL 2024 Road Haulage Contributions MCC Remittance, dated 31 July 2024;
 - Karuah Quarry s94 Contributions to MidCoast Council, dated 23 June 2023.
 - Maintenance Records from 2019 – 2024
- **Complaints and Incident Documentation:**
 - Blast Notification Register
- **Other Reports:**
 - Weather Summary Reports 2019 (October – December);
 - Weather Summary Reports 2020 (January – December);
 - Weather Summary Reports 2021 (January – December);
 - Weather Summary Reports 2022 (January – December);
 - Weather Summary Reports 2023 (January – December);
 - Weather Summary Reports 2024 (January – June);
 - Noise Monitoring Assessment October 2019;
 - Noise Monitoring Assessment April 2020;
 - Noise Monitoring Assessment November 2020;
 - Noise Monitoring Assessment April 2021;
 - Noise Monitoring Report December 2021;
 - Noise monitoring Report July 2022;
 - Noise Monitoring Report December 2022;
 - Noise Monitoring Report May 2023;
 - Noise Monitoring Report December 2023;
 - Noise Monitoring Report June 2024;
 - Karuah Quarry Biennial Ecological Monitoring Report 2020;
 - Karuah Quarry Biennial Ecological Monitoring Report 2022;
 - Truck Driver Pre Load / Pre-Trip Declaration Form;
 - Transport Drivers Induction Register;
 - Karuah East Quarry (KEQ) and HQPL Transport Induction Version 02/07/2024;
 - FY18 Extractive Materials Return;
 - FY21 Extractive Materials Return;
 - FY23 Extractive Materials Return; and
 - FY24 Extractive Materials Return.

APPENDIX F

Compliance Table

Condition	Requirement	Compliance Status	Evidence	Findings	Recommendations
Schedule 2 Administrative Conditions					
Obligation to minimise harm to the the Environment					
1	The Applicant shall implement all practicable measures to prevent and/or minimize any harm to the environment that may result from the construction, operation, or rehabilitation of the development.	Compliant	Audit Interview Environmental Toolbox Talks	Environmental awareness training for all staff is conducted through toolbox talks and onsite inductions.	N/A
Terms of Approval					
2	The Applicant shall carry out the development generally in accordance with the: a) DA 265-10-2004	Compliant	DA 265-10-2004 EIS (2004)	Site operations appear to be conducted generally in accordance with the EIS and conditions of the Development Consent.	N/A
	b) EIS titled Environmental Impact Statement to accompany a State Significant Development Application for an existing Hard Rock Quarry, Property: Lot 21 DP 1024341 and Lot 11 DP 1024564, Pacific Highway, Karuah, Volumes 1, 2 & 3, dated October 2004 and prepared by Asquith and deWitt Pty Ltd	Compliant	Cited in EIS (2004)	Development of the KHRQ has been approved and for the purpose of this audit period (1 August 2019 - 31 July 2024) was operating generally in accordance with appropriate environmental management and mitigation measures in place as per the Environmental Impact Statement (EIS) Volume 1 of 3 to accompany a State Significant Development Application for an extension to an existing Hard Rock Quarry, Asquith & deWitt, dated 29/10/2004.	
	c) conditions of this development consent	Compliant	DA 265-10-2004	Site operations appear to be conducted generally in accordance with the EIS and conditions of the Development Consent as outlined below.	
3	If there is any inconsistency between the above, the conditions of this consent shall prevail to the extent of the inconsistency	Compliant	DA 265-10-2004 EIS (2004)	No inconsistencies have been identified between the above and the conditions of consent.	N/A
4	The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of: a) any reports, plans or correspondence that are submitted in accordance with this development consent; and b) the implementation of any actions or measures contained in these reports, plans or correspondence.	Non-Compliance	1. Warning Letter from the Department re: breach of Schedule 3, condition 19 of DA 265-10-2004 03 July 2020 FFMP 2. Official Caution Letter re: breach of schedule 4 condition 10 from the Department 7 October 2020 3. Letter from the Department responding to non-compliance notification 19 January 2024 4. Letter from the Department responding to breach of Schedule 3 Condition 6 10 July 2020	1. Warning Letter from the Department dated 3 July 2020 Breach of Section 4.2 of the EP&A Act 1979 i.e., "...alleges that HQPL has breached Schedule 4, condition 19 of DA 265-10-2004....HQPL failed to implement FFMP for Karuah Quarry as approved by the Secretary in 2008". The Department requested a revised FFMP be submitted by 2 September 2020 and review and, if required, revise the EMP and EMS. HQPL undertook a review of the FFMP and EMS which was submitted to the Department for approval 26 August 2020. There was no evidence that the EMP was reviewed per the Department's request until it was resubmitted and approved September 2023. 2. Official Caution from the Department dated 7 August 2020 for the failure to implement an approved communications strategy. The Department requested HQPL implement six-monthly reporting for MidCoast Council and nearby residents in accordance with the approved EMS (2016) by 31 August 2020 and until a revised Communication Strategy is submitted to and approved by the Planning Secretary or a Community Consultative Committee is established. The HQPL website provides the community consultation reports which have been provided every six months since first half of 2020 to meet the the Department's request. 3. Non-compliance notification from the Department dated 19 January 2024 identifying a noncompliance due to an exceedance of the short term PM10 criterion in Schedule 3 Condition 13. The Department requested that the noncompliance be recorded in the Annual Review 2023 and for HQPL to outline corrective actions that were implemented to prevent further breaches. HQPL recorded the noncompliance in the 2023 Annual Review and included improvements to prevent further breaches. 4. Non-compliance notification from the Department dated 10 July 2020 indentifying a noncompliance with Schedule 3, Condition 3 for undertaking a blast at 3:05pm and providing results of an investigation related to single 'blast events'. The Department requested that the Annual Review Reports include supporting information in the relevant section on blasting to identify when multiple or successive blasts were conducted during the reporting period and whether they were considered to be single or distinct 'blast events'. HQPL did not record, in their Annual Environmental Reports, any multiple blasts during the audit period.	The Auditor recommends ensuring that HQPLs document management system is maintained and kept up to date so that all relevant events/data are reported in annual reports and that any outstanding actions requested by the Department are appropriately addressed and closed out.
Limits of Approval					
5	This consent lapses 22 years after the date it commences.	Not Triggered	DA 265-10-2004	The Development Consent allows for 22 years of production after the date it commences. This consent is still active and is due to lapse in 2027.	N/A
6	The Applicant shall not produce or transport more than 500,000 Tonnes of material a year from the development.	Compliant	AEMRs 2019 - 2023 and additional data for 2024 (provided by HQPL)	HQPL reports it's production figures on an annual basis in AEMRs. Production and transportation of material has not exceeded 500,000 tonnes in any one year during the reporting period. The recorded annual production figures for the audit period were: - 456,990t (2019) - 95,648t (2020) - 119,833t (2021) - 148,515t (2022) - 276,605t (2023) - 327,271t (2024)	N/A
7	The Applicant shall not extract more than 11.2 million Tonnes of andecite from the site within the period of this consent.	Compliant	AEMRs 2019 - 2023 and additional data for 2024 (provided by HQPL)	HQPL reported total production of andecite has not exceeded 11.2 million tonnes. Total volume of andecite extracted as of 2024 is 7,958,625t.	N/A
Surrender of Consents					
8	Within 6 months of the date of this consent, the Applicant shall surrender all existing development consents and continuing use rights associated with the site, in accordance with clause 97 of the EP&A Regulation.	Not Triggered	DA 265-10-2004	Not Triggered as this action falls outside of the Independent Audit Period (1 August 2019 - 31 July 2024).	N/A
Structural Adequacy					
9	The Applicant shall ensure that any new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. Notes: • Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for any building works. • Part 8 of the EP&A Regulation sets out the detailed requirements for the certification of development	Not Triggered	Audit Interview Auditor observation during site inspection	During the audit interview conducted in the administration building at the KHRQ on 10 December 2024, the Environment and Development Manager confirmed that no additional buildings or structures were constructed on site during the audit period. This was verified via visual observations of the site during the site assessment on the same day.	N/A
Demolition					
10	The Applicant shall ensure that all demolition work is carried out in accordance with AS2601-2001: The Demolition of Structures, or its latest version.	Not Triggered	Audit Interview Auditor observation during site inspection	During the audit interview conducted in the administration building at the KHRQ on 10 December 2024, the Environment and Development Manager advised that no demolition of structures were undertaken on site during the audit period. This was verified via a visual observation of the site during the site assessment.	N/A
Operation and Plant Equipment					
11	The Applicant shall ensure that all plant and equipment at the site, or used in connection with the development, are: a) maintained in a proper and efficient condition; and	Compliant	Plant and equipment inspection and maintenance records loaders, mobile crushers, water cart, etc	HQPL did not report any incidents within the audit period that would indicate a non-compliance with this condition. The Auditors observation during site inspection and review of maintenance records for the audit period indicated that plant and equipment is maintained in appropriate condition.	N/A
	b) operated in a proper and efficient manner.	Compliant	Audit Interview Auditors observation during site inspection	Plant and equipment observed appeared to be operated in a proper and efficient manner.	N/A

A																											
12	Within 6 months of the date of this consent, the Applicant shall: a) engage a registered surveyor to mark out the boundaries of the approved limits of extraction under Stage 1 and Stage 2;	Not Triggered	Survey Boundary Plan - Asquith and deWITT Pty Ltd dated 28 July 2006 Letter to HQPL from the Department dated 4 August 2006 providing approval of condition	Pegged out boundary markers appeared to be in appropriate locations and were verified during the Auditors observation during site inspection. Requirements of this condition are considered to have been addressed in prior audit periods. Although this condition is outside of this audit period, it is noted that in 2024 boundaries of the Stage 2 limits of extraction were surveyed and the survey plan submitted to the Department in 2024 (email receipt of Survey Plan and Report 2024 from the Department dated Monday, 14 October 2024).	N/A																						
	b) submit a survey plan of these boundaries and the proposed timing of extraction within Stage 1 and Stage 2 to the Director-General; and	Not Triggered	Email from the Department acknowledging receipt of Survey Plan and Report 2024 dated Monday, 14 October 2024																								
	c) ensure that these boundaries are clearly marked at all times in a permanent manner that allows operating staff and inspecting officers to clearly identify these limits.	Compliant	Auditors observation during site inspection	Stage 2 visual boundary markers were in place during the Auditors observation during site inspection	N/A																						
Section 94 Contributions																											
13	(As amended by NSW Land And Environment Court On 29 September 2006 and provided in attachment 1) The applicant shall pay Council periodic contributions for the maintenance and repair of Council roads until the cessation of quarrying in site. The first payment shall be made Within 14 days of 31 December 2006, and cover the haulage undertaken on Council Roads from 1 July 2006 to 31 December 2006. The first payment shall be calculated at a rate of 3.16 cents per m3 of material per kilometre hauled ('Initial Contribution Rate') All subsequent payments shall be made on a yearly basis (within 14 days of 31 December) to cover the haulage undertaken on Council roads in each preceding 12 month period, and indexed at the time of each payment in accordance with the following formula: $\text{Contribution rate at the time of payment} = \frac{\text{Initial Contribution Rate} \times \text{CPI 1}}{\text{CPI 2}}$ CPI 1 = CPI at the time of payment CPI 2 = CPI at the date of the first payment (i.e. within 14 days of 31 December 2006) CPI = the latest available Consumer Price Index (All Groups Index for Sydney)	Non-Compliance	Invoices for payment contributions to MidCoast Council (for maintenance and repair of local roads that are subject to road haulage from Karuah Quarry operations) for FY 2019 - 2024 were sighted	Payments did not appear to occur within 14 days of 31 December as stipulated in amended conditions. Evidence of the indexation of contributions at the time of each payment in accordance with the appropriate formula was not provided.	Make payments within 14 days of 31 December each year and verify previous and future payment amounts have been / are in accordance with the condition.																						
Schedule 3 - Specific Environmental Conditions																											
Noise																											
Noise Impact Assessment Criteria																											
1	The Applicant shall ensure that the noise generated by the development does not exceed the criteria specified in Table 2 at any residence or noise sensitive receptor on privately owned land. <table border="1"> <thead> <tr> <th rowspan="2">Time Period</th> <th colspan="2">Noise Limits dB(A)</th> </tr> <tr> <th colspan="2">L_{Aeq} (15minute)</th> </tr> </thead> <tbody> <tr> <td>Day (7am to 6pm Monday to Friday and 7am to 1pm Saturday)</td> <td colspan="2">48</td> </tr> <tr> <td>Evening (6pm to 10pm Monday to Friday)</td> <td colspan="2">47</td> </tr> <tr> <td>At all other times</td> <td colspan="2">46</td> </tr> </tbody> </table> Notes: • Noise from the site is to be measured within thirty meters of any residence or other noise sensitive areas to determine compliance with the noise criteria set out in Table 2. • L _{Aeq} (15 minute) is the equivalent continuous noise level - the level of noise equivalent to the energy average of noise levels occurring over a measurement period. • For the purpose of noise measures required for this condition, the L _{Aeq} noise level must be measured or computed at the point defined in this condition over a period of 15 minutes using "FAST" response on the sound level meter. • For the purpose of the noise criteria for this condition, 5dB(A) must be added to the measured level if the noise is substantially tonal or impulsive in character. The location or point of impact can be different for each development, for example, at the closest residential receiver or at the closest boundary of the development. Measurement locations can be: a) 1 meter from the facade of the residence for night time assessment; b) at the residential boundary; c) 30 meters from the residence (rural situations) where boundary is more than 30 meters from residence. • The noise emission limits identified in this condition apply for prevailing meteorological conditions (winds up to 3m/s), except under conditions of temperature inversions. Noise impacts that may be enhanced by temperature inversions must be addressed by: a) documenting noise complaints received to identify any higher level of impacts or patterns of temperature inversions; b) where levels of noise complaints indicate a higher level of impact then actions to quantify and ameliorate any enhanced impacts under temperature inversions conditions should be developed and implemented.	Time Period	Noise Limits dB(A)		L _{Aeq} (15minute)		Day (7am to 6pm Monday to Friday and 7am to 1pm Saturday)	48		Evening (6pm to 10pm Monday to Friday)	47		At all other times	46		Compliant	AEMRs (2019-2023) EMP (August, 2023) Six-monthly Noise Monitoring Reports (2019-2024) EMS (August, 2020)	Noise monitoring results were observed within AEMRs. No noise generated by the development exceeded the specified criteria during the audit period. Noise monitoring processes appeared to be undertaken in accordance with the noise monitoring requirements in the EMP.	N/A								
Time Period	Noise Limits dB(A)																										
	L _{Aeq} (15minute)																										
Day (7am to 6pm Monday to Friday and 7am to 1pm Saturday)	48																										
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At all other times	46																										
Operating Hours																											
2	The Applicant shall comply with the operating hours in Table 1: <table border="1"> <thead> <tr> <th rowspan="2">Activity</th> <th colspan="2">Days of the Week</th> <th rowspan="2">Time</th> </tr> <tr> <th colspan="2">Monday - Friday</th> </tr> </thead> <tbody> <tr> <td>• Construction</td> <td colspan="2">Monday - Friday</td> <td>7am to 6pm</td> </tr> <tr> <td>• Extraction and processing</td> <td colspan="2">Saturday</td> <td>7am to 1pm</td> </tr> <tr> <td>• Internal and off-site transportation of product</td> <td colspan="2">Sundays and public holidays</td> <td>No work at any time</td> </tr> <tr> <td>Minor maintenance works on plant and machinery</td> <td colspan="2">7 days a week and public holidays</td> <td>7am to 6pm</td> </tr> </tbody> </table> Note: Delivery of material outside of the hours of operation permitted by condition 2 is only allowed, where that delivery is required by the police or other authorities for safety reasons; and/or where the operation or personnel or equipment are endangered. In such circumstances, prior notification should be provided to the DEC and affected residents as soon as possible, or within a reasonable period in the case of emergency.	Activity	Days of the Week		Time	Monday - Friday		• Construction	Monday - Friday		7am to 6pm	• Extraction and processing	Saturday		7am to 1pm	• Internal and off-site transportation of product	Sundays and public holidays		No work at any time	Minor maintenance works on plant and machinery	7 days a week and public holidays		7am to 6pm	Compliant	AEMRs (2019 - 2023) Six-monthly Noise Monitoring Reports (2019 - 2024)	Based on available information, there was no evidence to show that operations were outside the hours in Table 1.	N/A
Activity	Days of the Week		Time																								
	Monday - Friday																										
• Construction	Monday - Friday		7am to 6pm																								
• Extraction and processing	Saturday		7am to 1pm																								
• Internal and off-site transportation of product	Sundays and public holidays		No work at any time																								
Minor maintenance works on plant and machinery	7 days a week and public holidays		7am to 6pm																								
Noise Monitoring																											

3	<p>Within 6 months of the date of this consent, the Applicant shall prepare and implement a Noise Monitoring Program for the development to evaluate compliance with the noise impact assessment criteria in this consent, in consultation with the DEC, and to the satisfaction of the Director-General.</p>	Non-Compliance	<p>The Noise Monitoring Program is contained in section 2.5 of the EMP Version 6C (September, 2023). Six-monthly Noise Monitoring Reports (2019-2024)</p>	<p>The Auditor notes that the EMP (August 2023) has been revised (revision 6C, dated 11 September 2023) however, no evidence has been provided to confirm that the Noise Monitoring Program has been specifically approved by the Department per Condition 3 of this consent.</p> <p>The Auditor can confirm that HQPL monitored and reported its six monthly attended and unattended noise data in accordance with its EMP and reported the results in the AEMRs during the audit period. The bi-annual noise monitoring reports indicate that HQPL complied with its noise requirements during the audit period.</p>	<p>The Auditor recommends that HQPL seek confirmation from the Department that its Noise Monitoring Program within the EMP (Version 6C, September 2023) has been approved per the requirements of the condition.</p>						
Blasting and Vibration											
Airblast Overpressure Criteria											
4	<p>The Applicant shall ensure that the air blast overpressure level from blasting at the development does not exceed the criteria in Table 3 at any residence or sensitive receiver on privately owned land.</p> <table border="1" data-bbox="216 516 664 604"> <thead> <tr> <th>Airblast overpressure level (dB(Lin Peak))</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td>115</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> <tr> <td>120</td> <td>0%</td> </tr> </tbody> </table>	Airblast overpressure level (dB(Lin Peak))	Allowable exceedance	115	5% of the total number of blasts over a period of 12 months	120	0%	Compliant	<p>AEMRs (2019-2023) Blast monitoring results for audit period (in AEMRs 2019-2023) EMP (Version 6C, September 2023) Six-monthly Noise Monitoring Reports (2019 - 2024)</p>	<p>There was no evidence to indicate that HQPL exceeded overpressure levels from blasting activities. Monitoring results observed did not exceed criteria in Table 3 at any residence or sensitive receiver on privately owned land. The EMP (Version 6C, September 2023) (Section 2.5) provides that blast monitoring is required to be undertaken at the nearest affected residence from the quarry to ensure compliance with Schedule 3, Condition 4 of this Development Consent. Blast monitoring will also be completed at the front gate of the quarry. Allowable Air Blast Overpressure is set at 115 dB(L) with an allowable exceedance of 5% of the total number of blasts over a period of 12 months or 120 dB(L) with 0% allowable exceedance.</p>	N/A
Airblast overpressure level (dB(Lin Peak))	Allowable exceedance										
115	5% of the total number of blasts over a period of 12 months										
120	0%										
Ground Vibration Criteria											
5	<p>The Applicant shall ensure that the peak particle velocity from blasting at the development does not exceed the criteria in Table 4 at any residence or sensitive receiver on privately owned land.</p> <table border="1" data-bbox="216 724 664 812"> <thead> <tr> <th>Peak particle velocity (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> <tr> <td>10</td> <td>0%</td> </tr> </tbody> </table>	Peak particle velocity (mm/s)	Allowable exceedance	5	5% of the total number of blasts over a period of 12 months	10	0%	Compliant	<p>AEMRs (2019-2023) EMP (Version 6C, September 2023)</p>	<p>There was no evidence to indicate that HQPL exceeded overpressure levels from blasting activities. Monitoring results observed did not exceed criteria in Table 4 at any residence or sensitive receiver on privately owned land. The EMP (Version 6C, September 2023) (Section 2.5) provides that blast monitoring is required to be undertaken at the nearest affected residence from the quarry to ensure compliance with Schedule 3, Condition 5 of this Development Consent. Blast monitoring will also be completed at the front gate of the quarry. Ground Vibration Limits are set at 5 Peak Particle Velocity (mm/s) with an allowable exceedance of 5% of the total number of blasts over a period of 12 months or 120 (mm/s) with 0% allowable exceedance.</p>	N/A
Peak particle velocity (mm/s)	Allowable exceedance										
5	5% of the total number of blasts over a period of 12 months										
10	0%										
Blasting Restrictions											
6	<p>Blasting at the site may only take place: a) between 9am and 3pm Monday to Friday inclusive; b) once per week; and c) at such other times as may be approved by the DEC</p>	Compliant	<p>AEMRs (2019-2023)</p>	<p>Blast records provide that blasts were undertaken within the specific times and no evidence was observed to indicate otherwise.</p>							
Public Notice											
7	<p>Within 6 months of this consent, the Applicant shall establish a blasting notification register of landowners and other interested persons, within 2 km of the quarry.</p>	Not Triggered	<p>Blast Notification Register</p>	<p>HQPL has prepared and implemented a blast notification register during the audit period.</p>	N/A						
8	<p>Throughout the life of the development, the Applicant shall notify all registered individuals of upcoming blasting operations at the development site.</p>	Compliant	<p>Blast Notification Register Message Media Portal Notifications to registered individuals</p>	<p>HQPL advised during the audit interview that they have a system used to notify registered individuals of upcoming blasting operations which includes electronic Text/SMS via 'Message Media Portal' that is sent to a list of registered individuals. Sample of blast notifications during the audit period were provided as evidence.</p>	N/A						
Property Inspections											
9	<p>Within 3 months of this consent, the Applicant shall advise all landowners within 1 kilometer of the development that they are entitled to a structural property inspection.</p>	Not Triggered	N/A	<p>This condition is considered to be not applicable as it falls outside of the audit period.</p>	N/A						
10	<p>If the Applicant receives a written request for a structural property inspection from any landowner within 1 kilometer of the development, the Applicant shall within 3 months of receiving this request: a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to inspect the condition of any building or structure on the land, and if necessary recommend measures to mitigate any potential blasting impacts; and b) give the landowner a copy of the property inspection report.</p>	Not Triggered	<p>AEMRs (2019-2023) Audit Interview</p>	<p>HQPL advised that no written requests for a structural property inspection from a landowner was received during the audit period.</p>	N/A						
Property Investigations											
11	<p>If any landowner within 1 kilometre of the site claims that buildings and/or structures on his/her land have been damaged as a result of blasting at the development, the Applicant shall within 3 months of receiving this request: a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to investigate the claim; and b) give the landowner a copy of the property investigation report.</p> <p>If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Applicant shall repair the damages to the satisfaction of the Director-General.</p> <p>If the Applicant or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Director-General for resolution.</p> <p>If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (see Appendix 3).</p>	Not Triggered	<p>Audit Interview AEMRs (2019-2023)</p>	<p>No evidence that any landowner has made a claim of building or structural damage.</p>	N/A						
Operating Conditions											

12	The Applicant shall implement all practical measures to ensure the safety of people, and avoid and/or minimise any blasting impacts of the development on any privately owned land	Compliant	Audit Interview Auditors observation during site inspection Blast Notification Register EMP (Version 6C, September 2023)	There were no records of public safety or property incidents relating to blasting events during the audit period. Practical measures in place to avoid and minimise any blasting impacts of the development on privately owned land include the implementation and ongoing management of a blast notification process, blast signage, exclusion zones and land buffers. Blast Management Procedures and safety is managed by the blast contractor. The Auditor cannot comment on the safety management or performance at the quarry as this is outside of the scope of the audit. However, appropriate signage was observed on the site which clearly labels PPE requirements. Additionally, all site personnel appeared to be wearing appropriate safety equipment and hi-visibility clothing as necessary.	N/A
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Air Quality
Air Quality Impact Assessment Criteria

13	<p>The Applicant shall ensure that the dust emissions generated by the development do not cause additional exceedances of the ambient air quality impact assessment criteria listed in Tables 6, 7, and 8 at any residence on, or on more than 25 percent of, any privately owned land.</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>90 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>30 µg/m³</td> </tr> </tbody> </table> <p><i>Table 6: Long Term Impact Assessment Criteria for Particulate Matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>50 µg/m³</td> </tr> </tbody> </table> <p><i>Table 7: Short Term Impact Assessment Criteria for Particulate Matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total deposited dust level</th> </tr> </thead> <tbody> <tr> <td>Deposited dust</td> <td>Annual</td> <td>2 g/m²/month</td> <td>4 g/m²/month</td> </tr> </tbody> </table> <p><i>Table 8: Long Term Impact Assessment Criteria for Deposited Dust</i></p> <p><i>Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 2003, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.</i></p>	Pollutant	Averaging period	Criterion	Total suspended particulate (TSP) matter	Annual	90 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³	Pollutant	Averaging period	Criterion	Particulate matter < 10 µm (PM ₁₀)	24 hour	50 µg/m ³	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level	Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month	Non-Compliant	AEMRs (2019-2023)	<p>The previous Audit (EMM, 2019) provided that a letter from the Department to HQPL, dated 17 July 2008, describing that the Department no longer required regular PM10 monitoring. Therefore, the requirement for ongoing air quality monitoring using the High Volume Air Sampler (HVAS) did not appear to be required. EMM (2019) recommended that HQPL enter formal discussions with the Department regarding the requirement for PM10 / TSP monitoring, and subject to the Department's agreement, subsequently amend the EMP to include HVAS, PM10 /TSP monitoring for Karuah Quarry and report data in future AEMRs, in accordance with development consent.</p> <p>HQPL conducts monthly depositional dust monitoring consistent with the AQMP. However, particulate matter using high volume air samplers (HVAS) was not being carried out during the audit period and therefore, verification against the criteria listed in Table 6 and 7 can not be made.</p> <p>HVAS monitoring carried out 16 June 2023 PM10 exceeded the criteria at 51µg/m3. This exceedance was notified to the department in July 2023. Other exceedances have been noted however, these have been attributed to causes other than dust emissions generated by the development.</p>	<p>Following this audit, it is recommended that HQPL discuss with the Department whether PM10 / TSP monitoring is required in accordance with the conditions of this consent. Pending instruction from the Department, and if required, HQPL amend the EMP/AQMP to include HVAS, PM10 and TSP monitoring and report data in future annual environmental reports in accordance with the condition of this consent. If however, the Department suggest that monitoring of PM10 / TSP is not required or an arrangement that deviates from what is stipulated in the conditions of this consent then it is recommended that HQPL request for this Development Consent be amended to reflect changes approved by the Department.</p>
Pollutant	Averaging period	Criterion																										
Total suspended particulate (TSP) matter	Annual	90 µg/m ³																										
Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³																										
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Particulate matter < 10 µm (PM ₁₀)	24 hour	50 µg/m ³																										
Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level																									
Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month																									

Operating Conditions

14	The Applicant shall implement all practical measures to minimise and/or prevent the emission of dust from the site.	Compliant	AEMRs (2019-2023) EMP (Version 6C, September 2023) Audit Interview Auditors observation during site inspection	<p>During the Auditors observation during site inspection the Auditor identified that the following equipment were or available to be implemented to minimise and / or prevent dust emissions from the site:</p> <ul style="list-style-type: none"> - Surveillance and live monitoring by site personnel; - Water Carts; - Water Suppression System in the material processing area; - Weekly Street Sweeper; - Rumble Grids; and - AQMP. 	N/A
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Monitoring

15	Within 6 months of the date of this consent, the Applicant shall prepare and implement an Air Quality Monitoring Program for the development to evaluate compliance with the air quality impact assessment criteria in this consent, in consultation with the DEC, and to the satisfaction of the Director-General.	Non-Compliant	AQMP contained in section 2.3 of the EMP (Version 6C, September 2023) AEMRs (2019-2023)	<p>The AQMP is contained within the approved EMP (August 2023) however, there is no evidence to confirm that the AQMP has been specifically approved by the Department as such the Auditor cannot verify this condition has been satisfied.</p> <p>The AQMP (contained in the EMP 2023) requires that HVAS monitoring is only undertaken following receipt of a related complaint. Notwithstanding HQPL are using HVAS monitoring results from a HVAS established for the Karuah East Quarry and using these results to assess compliance and report noncompliances. Accordingly, the AQMP is not being implemented per the HVAS monitoring requirements.</p> <p>Further there were instances when monitoring equipment failed and monitoring was not able to be carried out per the monthly schedule for dust deposition due to samples contaminated with organic vegetation matter which were then discounted from from averaging.</p>	The Auditor recommends that HQPL seeks confirmation from the Department that it's Air Quality Monitoring Program within the EMP (Revision 6C, September 2023) is approved and that HQPL implement accordingly.
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Meteorological Monitoring

16	Within 6 months of this consent, the Applicant shall ensure that there is a suitable meteorological station operating in the vicinity of the development in accordance with the requirements in Approved Methods for Sampling of Air Pollutants in New South Wales, and to the satisfaction of the DEC and the Director-General.	Compliant	Meteorological Monitoring data in AEMRs (2019-2023) Calibration Reports (2019-2024) Weather Summary Reports (2019-2024)	The weather station was sighted during the Auditors observation during site inspection. Meteorological data, including Temperature, Rainfall, and Wind Speed was reported in the AEMRs during the audit period.	N/A
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Flora and Fauna
Conservation Offset Area

17	The Applicant shall establish, conserve, and maintain the area of vegetation in Lot 12 DP 1024564 marked on the map in Appendix 2, to the satisfaction of the Director- General.	Compliant	AEMRs (2019-2023) FFMP (September 2020) Auditors observation during site inspection	The conservation offset area was sighted from the boundary of the offset area. The area was protected with fencing which appeared to be in good condition to restrict public access. The area was also sign posted and with well established vegetation.	N/A
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18	<p>Within 3 years of this consent, the Applicant shall implement suitable arrangements to provide long term security for the conservation offset area, to the satisfaction of the Director-General.</p> <p><i>Note: The long term security of the offset can be achieved through a combination of the following: Deed of Agreement with the Minister, rezoning the land under the Great Lakes Local Environment Plan 1996, caveats on the title under the Conveyancing Act 191, etc....</i></p>	Compliant	Restrictive and Positive Covenants applying to lot 12 DP1024564.	<p>Previous Independent Environmental Audit (EMM, 2019) identified that this condition was non-compliant as there was no formalised evidence or correspondence observed during the previous audit period (e.g., no deed or conservation bond for offset security). EMM (2019) recommended that HQPL engage with the Department and OEH in regards to the arrangement (e.g., deed or agreement) which details long term security for the conservation offset area.</p> <p>HQPL sent a letter to the Department, dated 18 May 2020, seeking review and approval of revised documentation pertaining to the Caveat on the title of Lot 12 DP 1024564 for long term security of the Conservation Offset Area.</p> <p>The long term security of the conservation offset area was established via Restrictive and Positive Covenants and approved by the Department 17 November 2021. Although the caveat was not put in place within the required timeframe of the condition, this requirement has now been met.</p>	N/A
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Flora and Fauna Management Plan

19	<p>Before carrying out any clearing associated with Stage 2 of the development, the Applicant shall prepare, and subsequently implement, a FFMP for the development to the satisfaction of the Director-General. This plan must include:</p> <p>a) a Vegetation Clearing Protocol</p> <p>b) a Remnant Vegetation Conservation Plan; and</p> <p>c) a Conservation Offset Management Plan</p>	Non-compliance	<p>FFMP (September 2020). Department approval letter (dated, 13 October 2020) Karuah Quarry Biennial Ecological Monitoring report 2020 Karuah Quarry Biennial Ecological Monitoring report 2022</p>	<p>Consistent with correspondence issued from the Department (dated, 03 July 2020) HQPL failed to implement the FFMP as approved by the Secretary in 2008 as annual ecological monitoring was not undertaken. Further the previous Independent Environmental Audit (EMM, 2019) identified that no evidence of the Department's approval of FFMP (June 2014) was provided.</p> <p>In response the FFMP (September 2020) was prepared and approved by the Department 13 October 2020 and includes the requirements of condition 19a - 19c and is being implemented.</p> <p>It is noted that prior to approval of the Plan in 2020, the Department issued a warning letter to HQPL for not implementing the Plan (as approved in 2008) and undertaking ecological monitoring of remnant vegetation on an annual basis. The Plan has since been updated and approved by the Department, and requires that the ecological monitoring is undertaken every second year. Ecological monitoring reports for 2020 and 2022 were sighted.</p>	The Auditor recommends that HQPL continue to conduct ecological monitoring in accordance with the approved FFMP.
20	<p>The Vegetation Clearing Protocol shall describe the procedures that would be implemented for:</p> <p>a) minimising the areas of remnant vegetation to be cleared</p> <p>b) delineating areas of remnant vegetation to be cleared</p> <p>c) protecting areas outside of the disturbance areas</p> <p>d) undertaking re-clearance surveys (including observations/surveys for threatened species)</p> <p>e) identification of fauna management strategies</p> <p>f) conserving and reusing topsoil</p> <p>g) collecting seed from the site for rehabilitation works</p> <p>h) salvaging and reusing material from the site for habitat enhancement; and</p> <p>i) controlling weeds</p>	Compliant	Vegetation Clearing Protocol contained in FFMP (September 2020)	The Environment and Development Manager advised that no vegetation clearing occurred during the audit period other than weed control measures. The Vegetation Clearing Protocol generally addresses items 20a - 20i of the condition.	N/A
21	<p>The Remnant Vegetation Conservation Plan shall:</p> <p>a) describe what measures would be implemented to conserve, maintain and enhance the vegetation on the site which will not be cleared as part of the development (in particular sub-populations of <i>Tetradlea juncea</i> (Black-eyed Susan)); and</p> <p>b) describe how the performance of these measures would be monitored over time.</p>	Compliant	<p>Remnant Vegetation Conservation Plan contained in FFMP (September 2020) EMP (August 2023) Biennial Ecological Monitoring Reports (2020 and 2023)</p>	<p>HQPL has prepared and implemented a Remnant Vegetation Conservation Plan that adequately addresses the measures for conservation, maintenance, and enhancement of the vegetation on the site and includes an appropriate process for monitoring performance improvements over time.</p> <p>The Remnant Vegetation Conservation Plan generally addresses items 22a and b of the condition.</p>	N/A
22	<p>The Conservation Offset Management Plan shall:</p> <p>a) describe the habitat in the conservation offset area for following threatened species:</p> <ul style="list-style-type: none"> • <i>Phascogale tapoatafa</i> (Brush-tailed Phascogale); • <i>Ninox strenua</i> (Powerful Owl); • <i>Phascogale cinereus</i> (Koala); and • <i>Tetradlea juncea</i> (Black-eyed Susan). <p>b) justify why this area is suitable as a conservation offset for the species described in (a) above;</p> <p>c) establish baseline data for the existing habitat in the proposed conservation offset area;</p> <p>d) describe how the proposed conservation offset area would be managed, including long-term measures for:</p> <ul style="list-style-type: none"> • feral animal control; • weed management; • stock management; and • bush fire management. <p>e) describe how the ecological performance of the conservation offset area would be monitored over time.</p>	Compliant	<p>Conservation Offset Management Plan contained in FFMP September 2020 Biennial Ecological Monitoring Reports (2020 and 2023)</p>	<p>HQPL has prepared and implemented a Conservation Offset Management Plan which addresses requirements for conservation, maintenance and enhancement of the vegetation in the offset area and have included performance measures over time during the audit period.</p> <p>The Conservation Offset Management Plan outlines baseline data for the existing habitat in the offset area as well as the following threatened species:</p> <ul style="list-style-type: none"> - <i>Phascogale tapoatafa</i> (Brush-tailed Phascogale); - <i>Ninox strenua</i> (Powerful Owl); - <i>Phascogale cinereus</i> (Koala); and - <i>Tetradlea juncea</i> (Black-eyed Susan). <p>The Conservation Offset Management Plan also provides for the long term control measures for feral animals, weed management, stock and bush fire management.</p> <p>Overall HQPL generally addresses items 22a - 22e of the condition.</p>	N/A
Reporting					
23	The Applicant shall include a progress report on the implementation and performance of the FFMP and the Conservation Offset Strategy in the AEMR.	Compliant	AEMRs (2019-2023)	The AEMRs report on aspects of the FFMP and the conservation offset strategy including weed control measures and flora and fauna monitoring results.	N/A
Surface Water					
Pollution of Waters					
24	Except as may be expressly provided by an Environment Protection License, the Applicant shall comply with section 120 of the Protection of the Environment Operations Act 1997 during the carrying out of the development.	Non-Compliant	<p>EPL 11569 Water Discharge Events reported in AEMRs (2019-2023)</p>	<p>An uncontrolled discharge occurred from SD2 via LDP001 was experienced on 26 October 2020, where the Quarry received 278.4mm of rain in a period of 12 hours. HQPL self reported the incident using the EPA Pollution hotline and a summary of the incident was provided to both the Department and the NSW EPA.</p> <p>Six uncontrolled discharge events from SD2 occurred between 18 March 2021 to 23 March 2021. The uncontrolled discharges from this period exceeded the TSS limit of the EPL (50mg/L). The EPA Pollution Hotline was contacted to self-report the incident. The Department and the NSW EPA were also both contacted and provided with a summary of the incident and an environmental incident report.</p>	<p>The auditor acknowledges that water monitoring samples are taken by HQPL in accordance with EPL and requirements of the approved SWMP (September, 2023), and that water monitoring is technically outside the scope of this audit as discharge monitoring is a requirement of the conditions of the EPL. It is also acknowledged that EPL requirements are not required to be addressed in accordance with conditions of the development consent and/or the Department's Post Approval Audit Guidelines.</p> <p>As such, the Auditor recommends that any non-compliances with limits or requirements of the EPL should continue to be reported to relevant government agencies as necessary with monitoring results included in the AEMRs.</p>
Water Discharge Limit					
25	The Applicant shall only discharge water from the development in accordance with the provisions of a DEC Environment Protection License	Non-Compliant	<p>EPL 11569 Water Discharge Events reported in AEMRs (2019-2023)</p>	Uncontrolled discharges occurred on 26 October 2020 and 18 - 23 March 2021 as outlined above.	The Auditor recommends HQPL continue to monitor the licensed discharge point in accordance with EPL 11569 and the approved SWMP. Monitoring results will continue to be reported in AEMRs with any uncontrolled discharge events notified to the EPA and the Department.
Site Water Management Plan					

26	Within 12 months of the date of this consent, the Applicant shall prepare, and subsequently implement, a Site Water Management Plan for the development, in consultation with the DEC, and to the satisfaction of the Director-General. The plan shall detail how site water management on site will be integrated with existing surface water management and erosion and sediment control systems and address surface water management and erosion and sediment control at both the construction and operation phases of the development. This plan must include:	Compliant	SWMP (Version 8C, September 2023) letter from the Department re KHRQ - Site Water Management Plan (no date)	The SWMP was updated September 2023 and approved by the Department (undated, reference DA265-10-2004-PA-19).	N/A
	a) an Erosion and Sediment Control Plan;	Compliant		The Erosion and Sediment Control Plan is contained in Appendix A of the SWMP (Version 8C, September 2023) and appears to satisfy the requirements of this condition.	N/A
	b) a Surface Water Monitoring Program; and	Compliant		The Surface Water Monitoring Program contained in Appendix B of the SWMP (Version 8C, September 2023) and appears to satisfy the requirements of this condition.	
	c) a site water balance.	Compliant		The Site Water Balance is contained in Appendix C of the Site SWMP (Version 8C, September 2023) and appears to satisfy the requirements of this condition.	
Erosion and Sediment Control					
27	The Erosion and Sediment Control Plan must:	Compliant	Erosion and sediment control plan contained in SWMP (Version 8C, September 2023)	The erosion and sediment control plan is appended to the SWMP (Version 8C, September 2023) as Appendix A and appears to meet this condition of this consent.	N/A
	a) be consistent with the requirements of the Department of Housing's Managing Urban Stormwater: Soils and Construction manual;				
	b) identify activities that could cause soil erosion and generate sediment;				
	c) describe what measures would be implemented to minimise soil erosion and off-site sediment transport from the following locations: • the active quarry face and pit; • product and top soil stockpile sites; • haul roads; • workshop areas; • rehabilitation areas; and • all other exposed and disturbed surfaces within the site.				
	d) describe the location and function of erosion and sediment control structures and their capacity to contain runoff in relation to above average rainfall events;				
	e) describe what measures would be implemented to maintain the structures over time;				
f) describe how the effectiveness of the Erosion and Sediment Control Plan will be measured and monitored.					
Surface Water Monitoring					
28	The Applicant shall: a) measure: • the volume of water discharged from the site via licensed discharge points; • water use on the site; • water transfers across the site; and • dam and water structure storage levels. b) regularly monitor the quality of the surface water discharged from the licensed discharge points on the site; to the satisfaction of the DEC and the Director-General.	Non-Compliant	AEMRs (2019-2023) SWMP (Version 8C, September 2023)	During the audit interview, the HQPL environment and development manager advised: - HQPL commenced the monitoring of water discharged from discharge points using flow meters in July 2024. - HQPL installed data loggers used to record dam levels 6 August 2024. - Water is extracted from dams to fill water carts. - Water use on site is being recorded via water cart loads. - Water sampling of the discharge point (LDP 001) is carried out every day throughout the course of a discharge event. - HQPL sends samples to a lab that tests for TSS and Turbidity before discharging and water from the discharge point and then every day that discharge occurs.	The Auditor recommends HQPL establish required monitoring equipment to accurately record: - the volume of water discharged from the site via licensed discharge points (i.e., LDP 001); - water use on the site; - water transfers across the site; and - dam and water structure storage levels.
	Discharge monitoring and surface water monitoring data is reported in the annual environmental monitoring reports and was sighted in the AEMRs (2019-2023) for the audit period.			Additionally, it is recommended that HQPL establish data record keeping process for the above	
Visual Impact					
29	The Applicant shall: a) implement all practicable measures to minimise the visual impacts of the development;	Non-Compliance	Auditors observation during site inspection AEMRs (2019-2023)	The development was observed to be clean and tidy and without obtrusive signage or anything that would indicate a significant visual impact.	It is recommended that HQPL monitor the re-vegetation and maintenance of the visual bund and report on its progress within the AEMRs.
	b) retain, re-vegetate and subsequently maintain a visual bund within the Stage 1 works area (in accordance with Figures 13 and 14 of the EIS) to minimise the visual impacts of development;			Observations made during the Auditors observation during site inspection confirmed that the visual bund was in place and appeared to be maintained in operational condition.	
	c) include a progress report on the re-vegetation and maintenance of the visual bund in the AEMR, to the satisfaction of the Director General.			Evidence of progress reporting within the AEMRs for the audit period on revegetation and maintenance of the visual bund was not sighted.	
Traffic and Transport Pacific Highway					
30	The Applicant shall ensure that vehicular access to and from the quarry and the Pacific Highway is via the newly constructed grade separated interchange at Branch Lane.	Compliant	Audit Interview Auditors observation during site inspection	No alternate access points were identified.	N/A
Parking					
31	The Applicant shall provide sufficient parking on-site for all quarry-related traffic to the satisfaction of the Director-General.	Compliant	Audit Interview Auditors observation during site inspection	The Karuah Quarry Environment and Development Manager advised that no complaints were received during the audit period and that no adhoc parking has occurred due to the insufficient availability of parking spaces.	N/A
Road Haulage					
32	The Applicant shall ensure that all loaded vehicles entering or leaving the site are covered.	Compliant	Auditors observation during site inspection	Loaded vehicles entering and exiting the site were observed to be covered. The Karuah Quarry Environment and Development Manager advised that the weigh bridge officer is responsible for the inspection of vehicles.	N/A
33	The Applicant shall ensure that sediment and/or other pollutants are not tracked onto any public roads servicing the development.	Compliant	Auditors observation during site inspection	The roads were observed to be in good condition during the Auditors observation during site inspection. A street sweeper was observed during the Auditors observation during site inspection carrying out necessary duties as per the requirements of the EMP (August, 2023). There were two rumble grids installed on the site during to reduce sediment/pollution tracking of machinery and vehicles leaving site.	N/A
Waste Management					
34	The Applicant shall (to the satisfaction of the Director-General): a) monitor the amount of waste generated by the development;	Compliant	Waste Contractor Receipts AEMRs (2019 - 2023)	HQPL uses a licensed contractor for waste removal at the site. Typical waste generated on the site generally consists of non-hazardous and general wastes, as well as oily wastes. The general and non-hazardous wastes are placed in a skip bin and removed from the site. Oily water accumulates in the workshop sump within a bunded area and is removed by a licensed contractor when the sump is full. Additionally, scrap steel and tyres are separated and stockpiled until there is enough quantity for removal by a licensed contractor for recycling. Visual Auditors observation during site inspections confirmed that waste generated on site is segregated into appropriate waste streams i.e., recyclables, non-recyclables, and fuels/oily/liquid waste. Waste generation is being monitored and compared across monitoring periods and reported in the AEMRs.	N/A

	b) investigate ways to minimise waste generated by the development	Non-Compliance	AEMRs (2019 - 2023)	There was no evidence sighted during the audit period which indicates that HQPL demonstrated methods to minimise waste generation, and/or the implementation of waste minimisation methods. Waste management and minimistaion was not reported in the AEMRs during the audit period.	The Auditor recommends that HQPL investigate, implement and report in the AEMRs actions to minimise waste generation.
	c) implement reasonable and feasible measures to minimise waste generated by the development; and				
	d) report on waste management and minimisation in the AEMR				
35	The Applicant must not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing or disposal or any waste generated at the site to be disposed of at the site, except as expressly permitted by a license under the Protection of the Environment Operations Act 1997. Note: the above condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the site if it requires an environment protection license under the Protection of the Environment Operations Act 1997.	Compliant	AEMRs (2019 - 2023) Audit Interview Waste Contractor Receipts	Waste receipts to demonstrate offsite disposal were sighted. No waste/pollutants were observed during the Auditors observation during site inspection that appeared to be received from an external source.	N/A
Bushfire Management					
36	The Applicant shall: a) ensure that the development is suitably equipped to respond to any fires on-site; and	Compliant	Audit Interview Auditors observation during site inspection BfMP (Version 003, 22 August 2023)	Site induction training and the BfMP (Version 003, 22 August 2023) were sighted. HQPL maintain firefighting plant and equipment on-site to contain any small fire outbreaks and to assist firefighting crews where necessary. The plant and equipment includes: - Water storage dam (Sediment Dam 2) with a permanent fill point for tankers; - Water storage tank; - Water Tanker; - Earth moving equipment (e.g., bulldozers, excavators); - Fire extinguishers; and - Portable radios.	N/A
	b) assist the Rural Fire Service and Emergency Services as much as possible if there is a fire on-site.; and within 6 months of the date of this consent, the Applicant shall prepare a conservation sensitive Bushfire Management Plan for the development, to the satisfaction of Council and the Rural Fire Service.	Compliant	Audit Interview BfMP (Version 003, 22 August 2023) Correspondence from RFS 5/07/23 and 7/7/23 and MidCoast Council 8/6/23 Emergency Debriefing Report (Electrical Fault - Bush Fire dated, 23 November 2022)	EMM (IEA, 2019) during the previous audit period recommended that HQPL follow-up with Council and RFS regarding the review and approval of the BfMP to satisfy this condition. Email correspondence between HQPL and MidCoast Council (dated, 8 June 2023), with NSW RFS (dated, 7 July 2023) confirming review and acceptance of the BfMP with no further comment. The Auditor sighted an Emergency Debriefing Report which outlines that incident that where an electrical fault resulted in a bushfire (23 November 2023). The report provides evidence of HQPL actioning emergency first respnse procedures and cooperating with RFS throughout the incident.	N/A
Production Data					
37	The Applicant shall: a) provide annual production data to the DPI (Minerals) using the standard form for that purpose; and	Compliant	Annual Production Data Reports (FY18, FY21, FY23, FY24) AEMRs (2019-2023)	Annual production data is reported in AEMRs across the audit period in compliance with this condition.	N/A
	b) include a copy of this data in the AEMR	Compliant	AEMRs (2019-2023)	Data sighted in AEMRs for the audit period in compliance with this condition.	N/A
38	The Applicant shall progressively rehabilitate the site to the satisfaction of the Director-General.	Compliant	Rehabilitation and Closure Plan (February 2020, May 2021, and April 2024) AEMRs (2019-2023)	HQPLs Rehabilitation and Closure Plan (April 2024) including previous versions from the audit period were sighted. HQPL reports on the progression of rehabilitation in the annual environmental reports.	N/A
Rehabilitation Management Plan					
39	Within 6 months of the date of this consent, the Applicant shall prepare, and subsequently implement, a Rehabilitation Management Plan for the site, which integrates rehabilitation works for both Stage 1 and Stage 2 areas, to the satisfaction of the Director-General. This plan must:	Compliant	Rehabilitation and Closure Plan version 3A, May 2021 and version 4C, November 2024 Approval letter from the Department (no date) (ref: DA 265-10-2004-PA-26)	The Rehabilitation and Closure Plan has been prepared, revised and approved a number of times since 2018. Generally it was observed that the Plan addresses the requirements of 39a - 39e and is being implemented. Up until approval of the Rehabilitation and Closure Plan version 4C in November 2024, rehabilitation was not undertaken in accordance with the previous version of the Plan which requires completion of rehabilitation work by November 2021. As the Plan has since been updated, approved and the timeframes for completion of rehabilitation works amended, the plan is now consistent with the rehabilitation works being carried out.	N/A
	a) identify the disturbed area at the site (both Stage 1 and Stage 2)				
	b) describe in general the short, medium, and long term measures that would be implemented to rehabilitate the site				
	c) describe in detail the measures that would be implemented over the next 5 years to rehabilitate the site; and				
	d) describe in detail how rehabilitation measures will be integrated with: • erosion and sediment control works on site; • remnant vegetation and habitat enhancement and conservation works; and • visual screening works;				
e) describe how the performance of these measures would be monitored over time					
40	Within 5 years of providing the Rehabilitation Management Plan to the Director-General, and every 5 years thereafter, the Applicant shall review and update the plan to the satisfaction of the Director General.	Compliant	Rehabilitation and Closure Plans Letter from the Department (dated, August 2020) Letter from the Department (no date)	The Rehabilitation Management Plan contained within the Rehabilitation and Closure Plan was reviewed, updated and approved in February 2020, May 2021 and in April 2024. A letter from the Department (dated, August 2020) providing approval for the Rehabilitation and Closure Plan (February 2020), as well as letter confirmation of review and approval by the Department (no date) of the Rehabilitation and Closure Plan (Revision 4C, dated April 2024).	N/A
Reporting					
41	The Applicant shall include a progress report on the Rehabilitation Management Plan in the AEMR	Compliant	AEMRs (2019-2023)	Progress report on the rehabilitation management plan has been sighted in the 2021 and 2023 AEMRs.	N/A
Rehabilitation Bond					

42	<p>Within 6 months of the date of this consent, the Applicant shall lodge a suitable conservation and rehabilitation bond for the development with the Director General. The sum of the bond shall be calculated at \$2.50/m2, or as otherwise agreed to with the Director-General, for the area of disturbance at the development.</p> <p>Notes:</p> <ul style="list-style-type: none"> If the rehabilitation is completed to the satisfaction of the Director-General, the Director-General will release the rehabilitation bond. If the rehabilitation is not completed to the satisfaction of the Director-General, the Director-General will call in all, or part of, the rehabilitation bond, and arrange for the satisfactory completion of these works. 	Not triggered	N/A	N/A	N/A
43	<p>Within 3 years of lodging the rehabilitation bond with the Director-General, and every 5 years thereafter, unless the Director-General directs otherwise, the Applicant shall review, and if necessary revise, the sum of the rehabilitation bond to the satisfaction of the Director-General. This review must consider:</p> <p>a) the effects of inflation</p> <p>b) any changes to the area of disturbance; and</p> <p>c) the performance of any progressive rehabilitation which has been undertaken at the site.</p>	Non-compliant	<p>Revision of the rehabilitation bond Bank Guarantee (dated, 25 June 2024)</p> <p>HQPL Rehabilitation Bond Calculation (letter to the Department, dated December 2023)</p> <p>Approval letter from the Department (dated, January 2024)</p>	<p>The sum of the rehabilitation bond was revised by HQPL, approved by the Department and the Bank Guarantee lodged. Notwithstanding the previous review was carried out in 2016, not within 5 years as required by this condition of this consent.</p>	<p>HQPL to ensure actions against this consent are carried out within the specified timeframes in accordance with this condition of this consent.</p>
Quarry Closure Plan					
44	<p>At least 3 years prior to the cessation of quarrying, the Applicant shall prepare a Quarry Closure Plan for the development, in consultation with the Council, and to the satisfaction of the Director-General. The plan must:</p> <p>a) define the objectives and criteria for quarry closure;</p> <p>b) investigate options for the future use of the site, including any final void(s);</p> <p>c) describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the development; and</p> <p>d) describe how the performance of these measures would be monitored over time.</p>	Compliant	<p>Rehabilitation and Closure Plan (rev 4C dated, April 2024)</p> <p>Approval letter from the Department (no date) (ref DA 265-10-2004-PA-26)</p>	<p>The Rehabilitation and Closure Plan has been prepared, approved and revised a number of times since 2018 and within three years of cessation of quarrying. Generally it was observed that the Plan addresses the requirements of 44a - 44d and has been implemented accordingly.</p>	<p>It is noted that two outdated versions of the Rehabilitation and Closure Plan are on the Major Projects Planning Portal and version 4C is not.</p>
Schedule 4					
Environmental Management, Monitoring, Auditing and Reporting					
EMS					
1	<p>Within 6 months of the date of this consent, the Applicant shall prepare, and subsequently implement an EMS for the development to the satisfaction of the Director-General. This strategy must:</p> <p>a) provide the strategic context for environmental management of the development;</p> <p>b) identify the statutory requirements that apply to the development;</p> <p>c) describe in general how the environmental performance of the development would be monitored and managed during the development;</p> <p>d) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> keep the local community and relevant agencies informed about the operation and environmental performance of the development; receive, handle, respond to, and record complaints; resolve any disputes that may arise during the course of the development; respond to any non-compliance; manage cumulative impacts; and respond to emergencies; and <p>e) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development.</p>	Compliant	<p>EMS (August 2020)</p> <p>Approval letter from the Department (dated, October 2020)</p>	<p>The EMS has been prepared, approved and revised a number of times. Generally it was observed that the EMS addresses the requirements of 1a - 1e and has been implemented accordingly. A letter from the Department (dated, October 2020) providing approval of the EMS was sighted.</p>	N/A
2	<p>Within 3 months of the completion of the Independent Environmental Audit (see condition 6 below), the Applicant shall review, and if necessary revise, the EMS to the satisfaction of the Director-General.</p>	Non-Compliant	<p>EMS (August 2020) / Document Control</p>	<p>The previous IEA was completed 16 October 2019. An update to the EMS following the IEA was undertaken in August 2020. There is no evidence that a review of the EMS was undertaken within 3 months of the IEA and therefore, the Auditor cannot verify compliance with this condition.</p>	<p>The Auditor recommends that HQPL reviews and revises the EMS to the satisfaction of the Department within the specified timeframe of the completion of the IEA.</p>
Environmental Monitoring Program					
3	<p>Within 6 months of the date of this consent, the Applicant shall prepare an EMP for the development, in consultation with the relevant agencies, and to the satisfaction of the Director-General. This program must consolidate the various monitoring requirements in Schedule 4 of this consent into a single document.</p>	Compliant	<p>EMP (September 2023)</p> <p>Approval letter from the Department (dated, September 2023)</p>	<p>The EMP has been prepared, approved and revised a number of times. Generally it was observed that the EMP consolidates the monitoring requirements of Schedule 4 and has been implemented accordingly.</p>	N/A

4	Within 3 months of the completion of the Independent Environmental Audit (see condition 6 below), the Applicant shall review, and if necessary revise, the EMP to the satisfaction of the Director-General.	Non-Compliant	EMP (September 2023) / Document Control	No evidence has been sighted to verify that the EMP was updated following the previous IEA (October, 2019). An update to the EMP following the IEA was undertaken in May 2023. There is no evidence that a review of the EMP was undertaken within 3 months of the IEA and therefore, compliance against this condition of this consent cannot be verified.	The Auditor recommends that HQPL reviews and revises the EMP to the satisfaction of the Department within the specified timeframe of the completion of the IEA.
Annual Reporting					
5	<p>The Applicant shall prepare and submit an AEMR to the Director-General and the relevant agencies. This report must address:</p> <p>a) identify the standards and performance measures that apply to the development</p> <p>b) describe the works carried out in the last 12 months</p> <p>c) describe the works that will be carried out in the next 12 months</p> <p>d) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years</p> <p>e) include a summary of the monitoring results for the development during the past year</p> <p>f) include an analysis of these monitoring results against the relevant:</p> <ul style="list-style-type: none"> • impact assessment criteria; • monitoring results from previous years; and • predictions in the EIS; <p>g) identify any trends in the monitoring results over the life of the development;</p> <p>h) identify any non-compliance during the previous year; and</p> <p>i) describe what actions were, or are being taken to ensure compliance.</p>	Compliant	AEMRs (2019-2023)	The AEMRs for the audit period were sighted on the Major Projects Planning Portal as evidence of submission to the Department. Generally the AEMRs are prepared to meet the requirements of 5a - 5i.	N/A
Independent Environmental Audit					
6	<p>Within 2 years of the date of this consent, and every 5 years thereafter, unless the Director-General directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <p>a) be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General;</p> <p>b) be consistent with ISO 19011:2002 - Guidelines for Quality and/ or Environmental Systems Auditing, or updated versions of this guideline;</p> <p>c) assess the environmental performance of the development, and its effects on the surrounding environment;</p> <p>d) assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;</p> <p>e) review the adequacy of the Applicant's EMS and Environmental Monitoring Program; and</p> <p>f) if necessary, recommend measures or actions to improve the environmental performance of the development, and/or the environmental management and monitoring systems.</p>	Compliant	Independent Environmental Audit Report (dated, October 2019) Letter to HQPL from the Department (dated, February 2020)	The previous IEA was carried out by EMM for the period July 2014 - July 2019. The audit team were endorsed by the Department and the audit report meets the requirements of 6b - 6f. Additionally, a letter to HQPL from the Department (dated, February 2020) confirming review and acceptance of the IEA (2019) has been sighted.	N/A
7	Within 3 months of commissioning this audit, or as otherwise agreed by the Director-General, the Applicant shall submit a copy of the audit report to the Director-General, with a response to the recommendations contained in the audit report.	Compliant	Letters to HQPL from the Department (dated, 12 February 2020 and 28 February 2020) IEA (2019)	Letter to HQPL from the Department (dated, 12 February 2020 and 28 February 2020) verifying review and acceptance of the previous IEA (audit period, 25 July 2014 - 31 July 2019) has been sighted. This IEA has been conducted in accordance with the requirements of this condition of this consent.	N/A
Community Consultative Committee					
8	Within 3 months of the date of this consent the Applicant shall seek expressions of interest from members of the local community to serve as a member of a Community Consultative Committee for the development.				N/A
9	<p>If at least two members of the local community express an interest to serve on the CCC the Applicant shall establish the CCC. The CCC shall:</p> <p>a) be comprised of:</p> <ul style="list-style-type: none"> • 2 representatives from the Applicant, including the person responsible for environmental management at the quarry; • 1 representative from Council (if available); and • at least 2 representatives from the local community, whose appointment has been approved by the Director-General in consultation with the Council; <p>b) be chaired by an independent chairperson, whose appointment has been endorsed by the Director-General</p> <p>c) meet at least twice a year; and</p> <p>d) review and provide advice on the environmental performance of the development, including any construction or environmental management plans, monitoring results, audit reports, or complaints</p>	Not Triggered	AEMRs (2019-2023) HQPL Website	<p>"In both 2007 and 2011, HQPL sent flyers to nearby neighbours and advertised for expressions of interest for a Community Consultative Committee (CCC). There was no interest received and therefore a CCC was not formed. In lieu of a CCC, HQPL have committed to sending out six-monthly reports to nearby residents and MidCoast Council updating these stakeholders on the environmental performance of the quarry from January to June and July to December of each year (AEMRs, 2019-2023)".</p> <p>The Auditor has sighted Community Consultation Reports which can be accessed by the community, published on the HQPL website.</p>	N/A

	<p>In addition, the Applicant shall, at its own expense:</p> <ul style="list-style-type: none"> a) ensure that 2 of its representatives attend the Committee's meetings b) provide the Committee with regular information on the environmental performance and management of the development c) provide meeting facilities for the Committee d) arrange Auditors observation during site inspections for the Committee, if necessary e) take minutes of the Committee's meetings f) make these minutes available to the public for inspection within 14 days of the Committee meeting, or as agreed to by the Committee g) respond to any advice or recommendations the Committee may have in relation to the environmental management or performance of the development; and h) forward a copy of the minutes of each Committee meeting, and any responses to the Committee's recommendations to the Director-General within a month of acceptance of the minutes by the Committee. 				
10	<p>If the Applicant does not receive at least two expressions of interest to serve on the CCC the Applicant shall instead develop a communications strategy for consulting with Council and residents within 2km of the development, to the satisfaction of the Director-General. This strategy should outline how the Applicant will advise Council and nearby residents on its environmental management plans, monitoring results, audit reports or complaints. This communication should occur twice a year. Notes: If during the course of the development, a Community Consultative Committee that has been established is found to be no longer effective, the Director-General may agree to its disbandment.</p>	Non-Compliance	<p>Communication Strategy contained in the EMS (August, 2020) Biannual Community Consultation Reports sighted on the HQPL Website</p>	<p>EMM reported (IEA, 2019) that no evidence of submission of reports in accordance with the communication strategy was detailed in the EMS from the audit period (2014-2019). EMM (IEA, 2019) recommended that the reports be prepared as per the requirements of this condition. Alternatively, a CCC for Karuah would need to be implemented.</p> <p>A communication strategy has been developed and is contained in the EMS (as approved by the Department , 2 October 20). Biannual community consultation reports including monitoring results and complaints were sighted on HQPL's website for public viewing. Although the requirements of the condition and communication strategy have been implemented there is no evidence that the communication strategy has been approved by the Department, as required by the condition, independent to the EMS (August, 2020).</p>	<p>The Auditor recommends HQPL seek clarification from DPHI that the communication strategy has been approved by virtue of approval of the EMP or otherwise seek approval from DPHI for the communication strategy.</p>



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